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ANNUAL REPORT
OF THE
MASSACHUSETTS TRIAL COURT

1981

ARTHUR M. MASON
CHIEF ADMINISTRATIVE JUSTICE

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
OFFICE OF THE CHIEF ADMINISTRATIVE JUSTICE
BOSTON, 02108

March 1, 1981

Honorable Edward F. Hennessey
Chief Justice
Supreme Judicial Court
13th Floor
New Courthouse
Boston, Massachusetts 02108

Dear Chief Justice Hennessey:

The year 1980 marked the second full year of operation of the Trial Court of the Commonwealth established under the provisions of the Court Reorganization Act of 1978. Submitted herewith is a report offered in compliance with the provisions of General Laws, chapter 211B, section 9 summarizing the activities of the Trial Court for the calendar year 1980.

This annual report reflects that the Trial Court has enhanced its capacity to discharge its statutory responsibilities. This success is attributable to the Administrative Justices who have readily supported the Chief Administrative Justice in the effort to coordinate programs and address issues with interdepartmental impact.

As in the preceding year, the report is comprised of a narrative and statistical component. The narrative portion addresses the progresive evolution of the financial management, personnel administration, caseflow management, educational programs, and resource use and allocation within the Trial Court in an overview fashion, highlighted by graphs and charts and attests to the benefits of the many constructive changes which have occurred to date.

The statistical component provides the data to support the narrative. During this past year, our improved capacity to collect, standardize and computerize data and provide analysis permits the reader to gain a comprehensive view of the activities of the Trial Court. This now allows for a clearer identification of the actual workload of the court, thereby promoting a better understanding of the system. It also establishes an accurate base of information from which to measure progress.

Included in the report for the first time are reports of the Office of the Commissioner of Probation and Jury Commissioner for Middlesex County.

Your support, and that of the Justices of the Supreme Judicial Court, of the continuing efforts by the Trial Court to promote an efficient administration within the Judicial Branch is most appreciated.

Sincerely,

Arthur M. Mason
Chief Administrative Justice

AMM:SEM
Enclosure

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OFFICE OF THE CHIEF ADMINISTRATIVE JUSTICE

The Office of the Chief Administrative Justice of the Trial Court has made important strides, during the past year, in implementing the programs mandated by the Court Reorganization Legislation of 1978.

The Office is organized on a departmental basis as illustrated by the organizational chart on the next page. Each department of the office has specific functions and responsibilities directly related to the Court Reorganization legislation and are also dependent upon one another for the organized and effective flow of information necessary to the efficient administration of the courts of the Commonwealth.

Among the many responsibilities of the Chief Administrative Justice of the Trial Court is the role of Chairman of the Advisory Committee on Personnel Standards and Chairman of the Collective Bargaining Policy Committee.

To assist with these responsibilities, the Personnel and Employee Relations Departments of the office were established.

PERSONNEL DEPARTMENT

The Personnel Department of the Office of the Chief Administrative Justice of the Trial Court represents the first consolidated personnel function in the history of the Massachusetts court system.

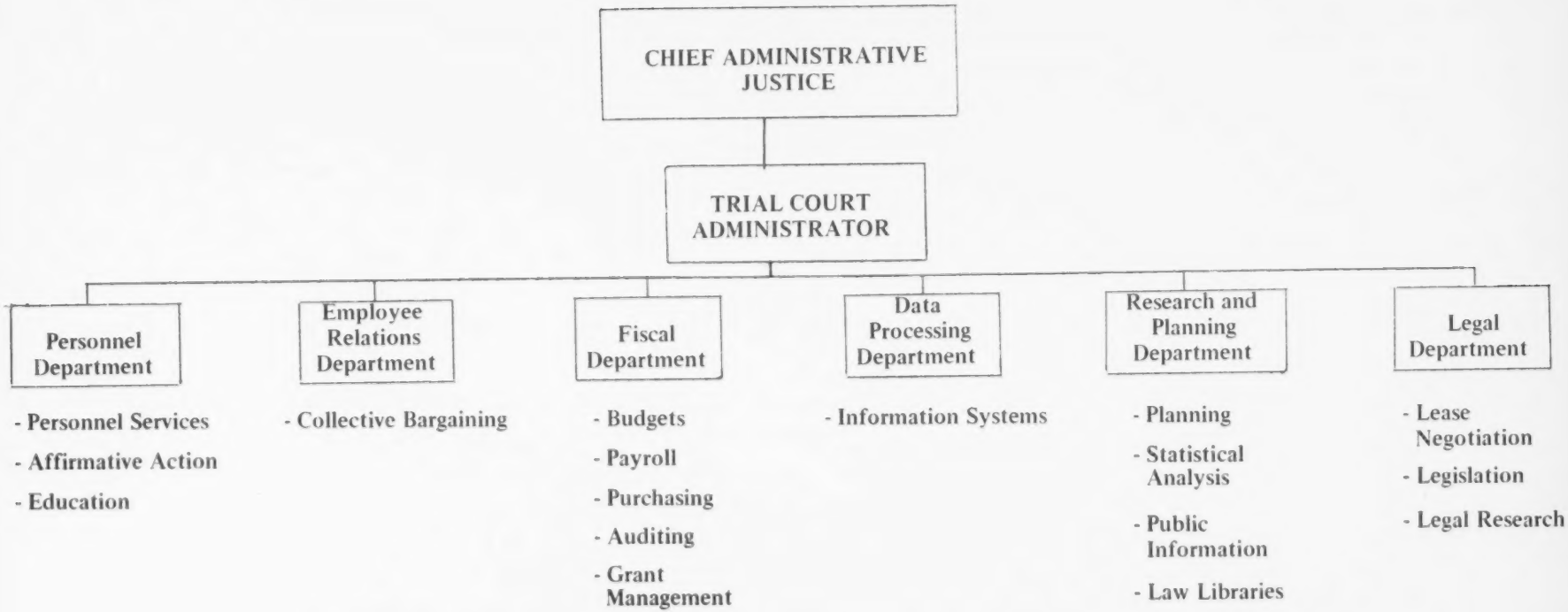
The Personnel Department was established to oversee the implementation of standards promulgated by the Advisory Committee on Personnel Standards. The standards, as initially promulgated, were included in a series of administrative directives issued by the Chief Administrative Justice and are presently being compiled for inclusion in the Trial Court Personnel Policies and Procedures Manual.

The Personnel Department is also charged with the task of reviewing requests for filling vacancies in the various Trial Court Departments. To date approximately 1,200 requests have been submitted by various Trial Court divisions and departments to the Personnel Office for approval. These submissions have resulted in more than 1,000 hirings or promotions during the past year.

A major concern of the Trial Court during the past year in the area of personnel management was the formulation and implementation of an active Affirmative Action office. In support of this activity, the Office of the Chief Administrative Justice was awarded a grant by the Law Enforcement Assistance Administration to fund the position of Affirmative Action Specialist. This individual is responsible for formulating AA/EEO goals and ob-

OFFICE OF THE CHIEF ADMINISTRATIVE JUSTICE

OF THE TRIAL COURT



jectives for the divisions and departments of the Trial Court and designing a system for oversight for monitoring compliance.

During 1980, the Personnel Department was also instrumental in the development of a system-wide compensation/classification plan for implementation.

EMPLOYEE RELATIONS DEPARTMENT

The Employee Relations Department of the Office of the Chief Administrative Justice represents the Chief Administrative Justice in Collective Bargaining matters concerning employees of the judiciary. During 1980, several significant developments in this area took place.

1980 was the first full year of operation under a labor agreement between the Chief Administrative Justice and Local 254 of the Service Employee's International Union which represents approximately 844 Probation Officers and 555 Court Officers across the state. This agreement represents the first labor agreement in the history of the Massachusetts court system and was signed on August 21, 1979. The agreement covers a three-year period ending June 30, 1981.

In addition to this bargaining unit, four others have been formed in the courts. The Suffolk County Superior Court Officers Association represents approximately 85 court officers and the Middlesex County Superior Court Officers Association represents about 68 court officers. Two other bargaining units were formed in 1980. The Labor Relations Commission conducted representation elections for units of (1) professional, non-managerial, non-confidential employees and (2) non-professional, non-managerial, non-confidential staff and clerical employees. On July 24, 1980, the Office and Professional Employees International Union was certified as the collective bargaining representative of these units by the Labor Relations Commission.

These bargaining units consist of approximately 2,500 staff and clerical employees and 100 professional employees.

On September 5, 1980, an agreement was signed with the Middlesex County Superior Court Officers Association for a three-year period expiring June 30, 1981.

Negotiations are currently underway with the Office and Professional Employees International Union, Local 6, AFL-CIO for both the professional employee and staff/clerical employee units.

Statistics

Union: S.E.I.U., Local 254
Approximate No. of Employees: 1,399
Job Group: Probation Officers/Court Officers

Union: Suffolk Cty. Superior Court Officers Assoc.
Approximate No. of Employees: 85
Job Group: Court Officers

Union: Middlesex Cty. Superior Court Officers Assoc.
Approximate No. of Employees: 68
Job Group: Court Officers

Union: O.P.E.I.U., Local 6
Approximate No. of Employees: 2,500
Job Group: Staff and clerical

Union: O.P.E.I.U
Approximate No. of Employees: 100
Job Group: Professional

Grievances Processed Under Agreement with Local 254

Job Group: Probation Officers
No. of Grievances Filed: 49
No. of Grievances Submitted to Arbitration: 5

Job Group: Court Officers
No. of Grievances Filed: 24
No. of Grievances Submitted to Arbitration: 9

COURT OFFICER SERVICES

Among the most beneficial components of the Court Reorganization legislation was the authority to reassign non-judicial personnel to divisions or departments of the Trial Court other than that to which the employee was originally assigned was given to the Chief Administrative Justice.

The bulk of non-judicial reassignments has been composed of court officers assigned for periods of specified duration. Since the enactment of the legislation, there have been 406 such assignments, the large number necessitated the addition of a coordinator of court officer services to the staff of the Office of the Chief Administrative Justice.

The coordinator is responsible for the daily supervision of court officer functions and operations in the Superior Court Department in consultation with the Administrative Justice of that Department. In addition, the coordinator is responsible for the supervision and coordination of court officers and assists in determining the appropriate allocation of court officers to insure full coverage of all Trial Court sessions.

In addition to these duties, the coordinator is responsible for standardizing and acquiring court officer uniforms and equipment as well as identifying training needs and the statutory bonding requirements.

During calendar year 1980, steps were taken to acquire uniforms for all Trial Court court officers, these uniforms should be purchased prior to the close of fiscal 1981, on June 30, 1981. Training programs for court officers were conducted on six occasions during 1980 and were presented by the office's Education Coordinator and included such topics as kubaton training, physical restraint of prisoners, transportation of prisoners and courthouse security.

FISCAL DEPARTMENT

Responsibility for preparing a budget for the funding of the Trial Court also rests with the Chief Administrative Justice.

The Fiscal Department of the Office of the Chief Administrative Justice is responsible for the preparation of the final unified budget of the Trial Court.

In March and April of 1980, plans were formulated for preparation of the Trial Court's Fiscal 1982 Budget Requests. Discussions were held with officials of the Department of Administration and Finance, and their approval was secured for revisions of the package of budget forms to be used in the preparation of the budget requests. These revisions included the addition of forms relating measured workload to resources, and presenting clearer documentation of the need for expansion requests, as well as the redesign of standard budget forms to make them more appropriate for court use.

On April 23, a complete plan for the preparation of Fiscal 1982 budget requests was presented and approved. This plan included general goals, specific objectives, a plan of action and a budget timetable.

Between May 5 and June 3, a series of budget meetings were conducted by personnel of the Fiscal Section of the Office of the Chief Administrative Justice with each of the 112 court divisions of the Trial Court. The purpose of these meetings was to explain to the personnel of each court division the changes being made in the method of preparation of the Fiscal 1982 Budget Requests, and to gain information on the specific budget needs and problems of each court division.

In early June, a supply of budget forms together with a newly designed Budget Instruction Manual was sent to each division for preparation of budget requests to be submitted by August 1.

During June and July, personnel of the Fiscal Section visited selected court divisions to provide assistance and guidance in the divisions' preparation of their budget requests.

Standardized Accounting System

Prior to court reorganization, internal accounting for receipts and disbursements in each court division varied greatly in form, depending on the size of the court division, the requirements of the county it was located in and the degree to which accounting for court transactions was performed by the county treasurer. Consequently, the accounting practices within court divisions varied greatly from court to court. While the fiscal processing and control system developed and implemented in 1979 established standard procedures for purchasing, preparation of payrolls and invoices, reporting of receipts and expenditures from appropriations, it did not significantly change the internal recording of financial transactions within the court divisions, which remained widely disparate.

In January of 1980, a contract was awarded to Touche-Ross and Company to assist in the design and implementation of a standardized court accounting system which would be utilized by all court divisions; would be integrated with the previously-implemented fiscal processing and control system; would meet the accounting requirements of the State Comptroller; and would satisfy the auditability requirements of the State Auditor.

Design of a system to meet these requirements was completed by the end of April, and implementation of the system in six pilot courts was undertaken in May and June. Implementation in the entire Trial Court was begun in the last half of June and con-

tinued through the remainder of 1980.

Features of the standardized court accounting system are the use of a "one-write" system in court divisions with a relatively small volume of receipts to be recorded, and electronic cash registers in court divisions dealing with a higher volume of receipts. The "one-write" system is a manual system by which filling out a receipt simultaneously creates a journal entry and an entry on a bank deposit slip. The electronic cash register prints a receipt for each transaction entered, while automatically recording the entry on a journal tape and a bank deposit tape, at the same time more easily permitting the recording of more detail concerning the transaction, and allowing more controls and checks on the transactions, such as mandatory forms validation, activity counts, and retention of receipts in a cash draw.

Fiscal Systems Manual

A Fiscal Systems Manual was prepared in 1979 containing a detailed, step-by-step description of the procedures to be employed in the Fiscal Processing Systems which were developed with the assistance of Touche Ross and Company. In 1980, the Fiscal Systems Manual was expanded by the addition of similarly detailed procedures for operation of the Standardized Accounting System, and by specific detailed instructions for completing the State forms required by the Office of the State Comptroller.

The Manual, which was provided to each Division of the Trial Court, contains step-by-step instructions for the completion of every fiscal transaction a court division will need to perform.

Fiscal 1981 Operating Budget

The Fiscal 1981 appropriation for the Operating Budget of the Trial Court is $120,205,488 which is 2.0% of the entire Fiscal 1981 state operating budget of $6,001,116,601.

Including the Trial Court, Supreme Judicial Court, and Appeals Court, the Operating Budget for the judiciary is $128,001,134, which is 2.1% of the state operating budget.

Table A below shows the Trial Court Fiscal 1981 Operating Budget by Department in dollar amounts and percent of the total Trial Court budget.

TRIAL COURT
Table A
Fiscal 1981 Operating Budget by Department

	Amount	Per Cent
Office of the Chief Administrative Justice	$ 1,261,374	1.1%
Trial Court Central Accounts	22,994,965	19.1%
Superior Court Department	24,444,665	20.4%
District Court Department	48,599,331	40.4%
Probate and Family Court Department	10,490,785	8.7%
Land Court Department	1,346,000	1.1%
Boston Municipal Court Department	3,888,586	3.2%
Housing Court Department	963,302	0.8%
Juvenile Court Department	4,345,436	3.6%
Commissioner of Probation	1,871,044	1.6%
TOTAL TRIAL COURT	$ 120,205,488	100.0%

In addition to these departments, the Office of the Chief Administrative Justice also has four departments which perform support functions for the Trial Court.

These departments, Education and Training, Legal, Research and Planning and Data Processing, each plays a role in assisting the other Office of the Chief Administrative Justice departments as well as the seven Departments of the Trial Court in meeting their goals.

EDUCATION AND TRAINING

Since its inception, the Office of the Chief Administrative Justice has recognized the significance of education and training to the development of the Trial Court. While funds have been limited, this office has attempted to strike a balance between the educational needs of the various departments and the system-wide educational needs within the Trial Court. During 1980, programs were funded for Judges, Clerks, Payroll Clerks, Court Officers and Chief Probation Officers.

The state assumption of court costs necessitated the development of new and uniform fiscal systems for the Trial Court. A series of training programs for court personnel were developed to assist the Trial Court Divisions in implementing these new rather detailed procedures.

The first series of programs was held in early 1980 on expenditure accounting and purchasing procedures. The training sessions reviewed the processing of documents for payment in accordance with the State Comptroller's requirements and reviewed numerous Trial Court fiscal procedures. The Divisions of the Trial Court were faced with the very difficult task of learning and implementing totally new expenditure accounting and purchasing systems. The programs were designed to further the understanding of court personnel as to their responsibilities under these new fiscal systems on the division level and to provide them with the opportunity to raise problem areas and issues for further clarification.

A payroll seminar was held in May for Court Division payroll processing personnel in the four westernmost counties. The program was sponsored by this office with the assistance of the State Comptroller's Field Services Division. The seminar reviewed payroll procedures to clarify any remaining confusion surrounding the preparation of monthly payrolls.

The final series of fiscal programs was held during the summer. A new accounting system was dedigned for the Trial Court to standardize the collection, accounting and disbursement of monies collected by court divisions. The training sessions introduced the new system to the courts, reviewed in detail the procedures, discussed what was expected of each court division to implement the new accounting system and provided the rationale behind the necessity for the development of the system.

A seminar on Affirmative Action and Equal Employment Opportunity was held in the spring in four locations across the state. The program was presented to appointing authorities including Presiding Justices, Clerk-Magistrates, and Chief Probation Officers.

The seminars were conducted by the Office of the Chief Administrative Justice in conjunction with the Massachusetts Commission Against Discrimination (MCAD) and the Sub-Committee on Affirmative Action of the Advisory Committee on Personnel Standards.

The programs addressed the roles and responsibilities of appointing authorities as prescribed by Administrative Directive 13-79 (Equal Employment Opportunity Policy and Affirmative Action Plan, August 6, 1979) and provided an overview of present law in the area of discrimination.

Representatives of MCAD provided those in attendance with an outline of the development of MCAD and its goals as well as a general discussion of the laws governing Equal Employment Opportunity and Affirmative Action.

Court Officer training was initiated in the fall of 1979 with a five-day pilot program held in Worcester. Full implementation began in January, 1980. The five-day court officer Basic Training Program was developed with the assistance of the Massachusetts Criminal Justice Training Council. The program covers a wide variety of subjects including security, handling and transportation of prisoners, self-defense tactics, certification in the use of a kubotan, communication skills, the role of the court officer, building security, courtroom security, the handling of bomb threats and incidents and emergency procedure planning, The program offered in the fall of 1980 included training segments on emergency procedures for drug reactions. The fall of 1980 also saw the implementation of Cardio Pulmonary Resuscitation Training for court officers.

The Office of the Chief Administrative Justice provided funding and technical assistance to the Clerk's Associations of the District and Superior Court Departments to support the development of educational conferences for Magistrates and Assistant Clerks.

A conference was held on April 18, 1980, in Framingham for Magistrates and Assistant Clerks of the Superior Court Department. The day-long program was devoted to problem areas in Civil and Criminal Appeals.

A three-day conference for Magistrates and Assistant Clerks of the District and Boston Municipal Court Departments was held in May. The Conference was planned by the Education Committee of the Association of Magistrates and Assistant Clerks of the Trial Court with funding and technical assistance provided by the Office of the Chief Administrative Justice. The conference devoted the first day to problem areas in civil procedures, the second day was divided between the adaptability of mediation techniques to a court setting and personnel motivational techniques and the third day discussed problem areas in criminal procedure, an update of criminal law and a discussion of problems related to juvenile transfer hearings.

This office provided funding to the Administrative Justices of the District and Probate and Family Court Departments to develop conferences for the justices of their respective departments. The programs receiving funding from this office included the Probate and Family Court Department's annual spring educational conference and a special program on caseflow management. The Justices of the District Court Department received funding for a two-day program on sentencing.

A major goal of the Office of the Chief Administrative Justice is to continue to support education and training for Trial Court personnel. Recognition of the importance of this function by the Legislature by the appropriation of state funds in Fiscal Year 1981 has been an important first step.

1980 EDUCATION CALENDAR

FISCAL PROGRAMS

Accounting and Purchasing	January 16, February 26, March 20, March 26, April 9
Payroll	May 5
Standardized Accounting	May 20, June 26, June 27, July 10, July 24, July 31 August 27 and August 31

PERSONNEL

Affirmative Action/Equal Employment Opportunities (AA/EEO)	March 19, April 2, April 16 and April 30

COURT OFFICER TRAINING

Basic Training Program	January 28-February 1, February 25-29, March 24-29 April 23-May 2, November 17-21
Cardio Pulmonary Resuscitation	December 11-12

MAGISTRATES AND ASSISTANT CLERKS

Civil and Criminal Appeals, Superior Court Clerks	April 18
District and Boston Municipal Court Department, Magistrates and Assistant Clerks', Conference	May 15-17

JUDGES

Probate and Family Court Department Caseflow Management	March 28
Probate and Family Court Department Spring Judicial Conference	May 9
District Court Department Sentencing Conference	June 4, 5 -- 10, 11
Probate and Family Court Department Fall Judicial Conference	October 17
Labor Relations, New Summary Process Rules, Magistrates and Assistant Clerks,	November 7, 14

LEGAL DEPARTMENT

The Legal Department of the Office of the Chief Administrative Justice serves as liaison between the judicial and the executive and legislative branches of the state government.

Duties of this department include the preparation, review and filing of legislation on behalf of the judiciary as well as the day-to-day monitoring of the legislative process. Supportive and research material is also provided to the Judicial Conference at its regularly scheduled meetings.

The Legal Department, in its principal function to provide research assistance to the Chief Administrative Justice and the Trial Court Administrator, prepares memoranda in response to inquiries from the Legislative Ways and Means Committees as well as the Governor's Legislative Office and responds to questions of a legal nature from within the judicial system and to the general public on a variety of subjects.

The Department is responsible for the review, drafting and negotiations of contracts entered into by the Office of the Chief Administrative Justice, including leases for equipment and office space for courts and other judicial agencies.

The Legal Department drafts and submits to the Chief Administrative Justice, proposed Administrative Directives, Orders, correspondence and information bulletins. The Department also assists the Chief Administrative Justice with his responsibility to review all proposed rules and amendments of the various Departments of the Trial Court and provides support to Trial Court Committees working in these areas.

The Legal Department provides assistance in personnel matters and in the development of standard personnel policies and procedures.

The Department also has participated and provided assistance in the ongoing efforts to develop and standardize forms and procedures throughout the Departments of the Trial Court.

During the past calendar year, the Legal Department was involved in establishing a system for providing indigent representation for citizens of the Commonwealth.

In Fiscal Year 1981, the Legislature funded the cost for indigent representation, with the exception of the Massachusetts Defenders Committee, in a centralized account under the Office of the Chief Administrative Justice. County Bar Associations established non-profit corporations in a cooperative effort with the Trial Court to involve members of the private bar in indigent representation. The Office of the Chief Administrative Justice negotiated contracts with these County Bar Advocate Groups to provide indigent representation in eleven (11) counties. The only counties without Bar Advocate Programs are Berkshire, Nantucket and Suffolk.

It is anticipated that the Bar Advocate Programs will insure the continued involvement of many members of the private bar in the representation of indigents and reduce indigent costs to the Commonwealth through the efficient and effective administration of the programs. Each program will be responsible for compiling statistics on the type and number of cases and actions where representation has been provided and submitting that information to the Office of the Chief Administrative Justice on a monthly basis. A contract has also been negotiated with the Roxbury Defenders Committee, Inc. to provide criminal defense services for indigents in the Roxbury Division of the District Court Department.

RESEARCH AND PLANNING DEPARTMENT

The Research and Planning Department performs a variety of functions for the Office of the Chief Administrative Justice.

The functions of the department include long-range planning, coordination of the courts' law libraries, resource management, caseflow management and public information.

The planning function of the Research and Planning Department is organized upon guidelines instituted by the Justice System Improvement Act.

The Justice System Improvement Act of 1979, (Public Law 96-157), as enacted in December, 1979, established within each state a Judicial Coordinating Committee. This Committee, formerly called the Judicial Planning Committee, has the authority to:

- establish priorities for the improvement of the various courts of the state;
- define, develop and coordinate programs and projects for the improvement of the courts of the state; and

- develop an application for the federal Law Enforcement Assistance Administration funding of programs and projects designed to improve the funtioning of the courts and judicial agencies of the state.

The Act further stipulates that the Judicial Coordinating Committee shall prepare a three-year application, or amendments thereto, reflecting the needs and priorities of the courts of the state.

In May, 1980, the Massachusetts Judicial Coordinating Committee submitted a three-year application to the Massachusetts Committee on Criminal Justice, the state-wide criminal justice planning body. The application for the period 1981-1983 delineates programs which the court has determined can best be supported by the block or discretionary funding resources of the Law Enforcement Assistance Administration (LEAA).

The planning activities of the Judicial Planning Committee in 1979 resulted in a total of $1,593,396 in federal dollars being awarded to the judiciary.

A variety of projects, each designed to improve the administration of justice in the courts of the Commonwealth were funded. For example, mediation programs, as an alternative means of settling disputes, are funded in three divisions of the District Court Department, administrative support grants provide additional personnel and programmatic resources to the Chief Administrative Justice, and the Administrative Justice of the Superior Court Department, and a large discretionary grant provides the means to build the capacity for effective caseflow management with a consequent reduction in both criminal and civil court delay, congestion and backlog in the Superior Court Department.

The Law Library Coordinator assists in the development of standards for the Trial Court law libraries and formulates plans for the implementation of these standards.

During 1980, the Coordinator began making site visits to the various law libraries in the Commonwealth. The purpose of these visits is to assess current space and collection conditions, evaluate these conditions and to provide a basis for designing standards for the law libraries.

The site visit reports will also be utilized in the preparation of future budget requests for the funding of the law libraries.

The Resource Coordinator is responsible for devising, implementing and monitoring programs which will lead to the most efficient and effective use of the Trial Court's limited resources.

During 1980, the Resource Coordinator was involved in several projects which were designed to meet this goal.

A three-year strategy, combining goals and objectives, was developed for the Office of the Chief Administrative Justice to provide a blueprint for the direction the office should take during the next three years.

Several management oriented programs were implemented including participation in the Executive Loan program which provides private business management assistance to governmental agencies; assistance from the Kennedy School of Government at Harvard University was obtained to prepare an operations manual for the Office of the Chief Administrative Justice and to assist in systems development including the development of an internal system to coordinate data processing activities.

The Coordinator is currently exploring opportunities available to provide management training to Office of the Chief Administrative staff.

Public information activities of the Office of the Chief Administrative Justice during 1980 included the continued publication of the Trial Court Reporter, the bi-monthly newsletter for court employees; the formulation of plans for a series of booklets on the Trial Court and the subsequent award of grant funds by the Gardiner Howland Shaw Foundation to support this project; and the writing, editing and publication of the Annual Report of the Office of the Chief Administrative Justice.

In addition to these projects, assistance was given to the Fiscal and Personnel Departments in the publication of their respective manuals.

DATA PROCESSING DEPARTMENT

The Data Processing Department, in addition to its continuing work on the Court Case Management System, which has been implemented in Norfolk and Middlesex Counties and is being installed in Essex and Worcester counties, has, during 1980, completed a civil indexing system for the Boston Municipal Court Department as well as a records management system for civil cases in the Superior

FEDERAL FUNDS AWARDED TO THE JUDICIARY, 1980

Funding Agency	Grantee	Program	$ Amount
LEAA Block Grant	Supreme Judicial Court	Committee on Competent Counsel	$42,000
LEAA Block Grant	Appeals Court	Expert Services	$13,885
LEAA Block Grant	Trial Court - Office of Chief Admin. Justice	Administrative Support	$50,000
LEAA Block Grant	Trial Court - Office of Chief Admin. Justice	Affirmative Action	$23,971
LEAA Planning Grant	Judicial Planning Committee	Judicial Planning	$50,000
LEAA Block Grant	Superior Court Department	Administrative Support	$50,000
LEAA Block Grant	Superior Court Department	Regional Administration	$60,643
LEAA Block Grant	District Court Department	Regional Administration	$110,903
LEAA Block Grant	Office of Jury Commissioner	Juror Utilization and Management	$80,000
National Institute of Corrections	Boston Municipal Court Department	Comprehensive Approach to Probation Management	$48,640
LEAA Block Grant	Salem Division - District Court Department	Salem Mediation	$34,977
LEAA Block Grant	Worcester Division - District Court Department	Manpower Assistance	$60,636
LEAA Block Grant	Taunton Division - District Court Department	Taunton Mediation Services	$40,490
LEAA Block Grant	East Boston Division - District Court Department	Project REVOC (Restitution to Victims of Crime	$59,797
LEAA Block Grant	Framingham Division - District Court Department	Framingham Mediation Services	$30,980
LEAA Block Grant	Cambridge Division - District Court Department	W.O.R.C. program (Working off Restitution Costs)	$87,310
LEAA Block Grant	Cambridge Division - District Court Department	A.I.D.D. (Assistance in Domestic Disputes)	$75,759
LEAA Block Grant	Commissioner of Probation	Organizational Development	$93,495
LEAA Block Grant	Commissioner of Probation	Accreditation Program	$51,364
LEAA Block Grant	Commissioner of Probation	Personnel Development	$75,713
LEAA Discretionary Grant	Trial Court - Office of Chief Admin. Justice	Fundamental Court Improvement Program	$193,833
LEAA Discretionary Grant	OCAJ/ Superior Court Department	Delay Reduction Program	$259,000
LEAA Discretionary Grant	Quincy Division Dist. Court Department	Juvenile Restitution	$319,015
		TOTAL	$1,912,411

Court Department.

The Court Case Management System has been designed to allow access to the system by both the Clerk and the District Attorney, both of whom are responsible for the maintenance of the list.

The Boston Municipal Court Department Indexing System was designed to replace the existing docket indexing system. The new system provides an on-line indexing capability with access through video display terminals.

Typing time for indexing preparation was cut in half by entering the information into a computer, since the computer could prepare separate plaintiff and defendant index formats from a single entry and eliminate the need for typing the information twice for the two formats. While the BMC civil index system is intended only to provide an indexing capability, it will be expanded to record case type and disposition date along with other information to monitor case aging and backlog. As this system is expanded, it will be implemented in other counties. Middlesex Superior Court Department is the next location which will utilize this civil case system.

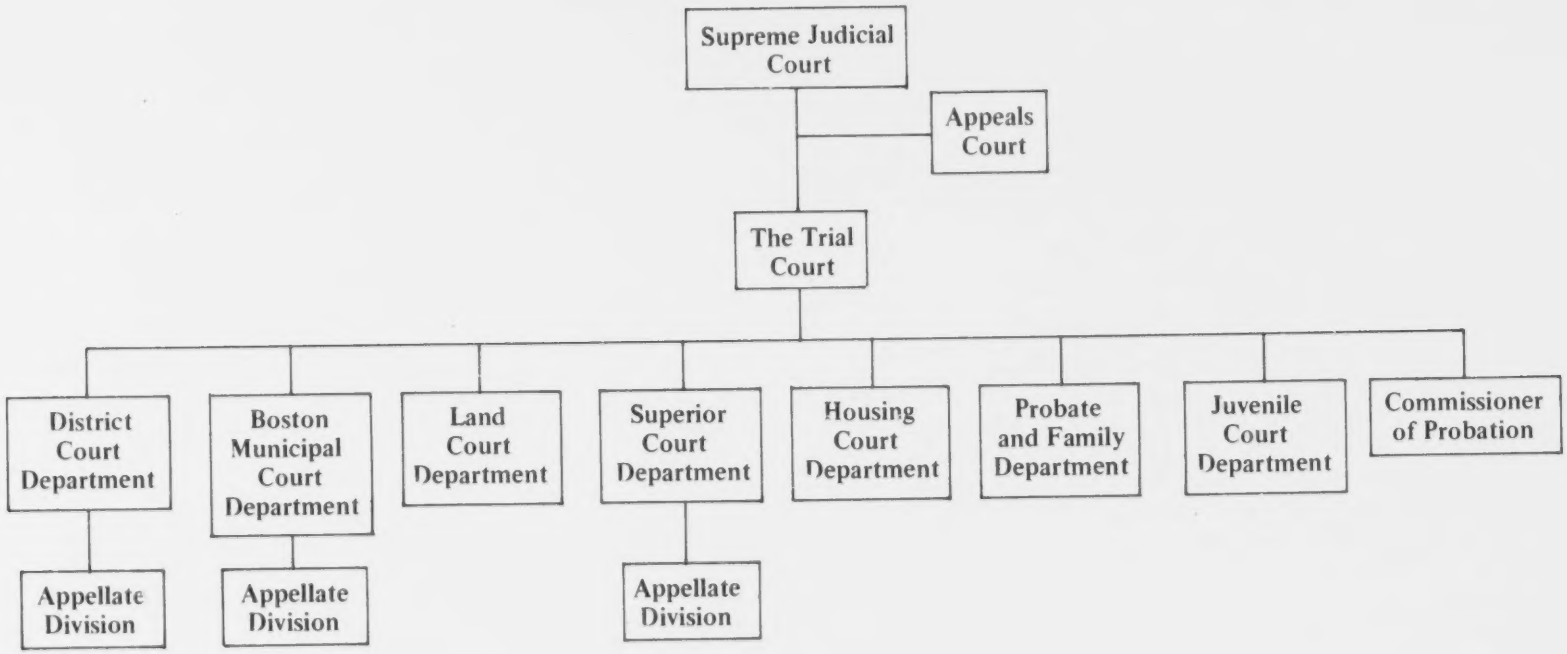
At the same time as the on-line indexing system was being implemented in the Boston Municipal Court, statistical surveys were being made of the caseloads for various counties with the assistance of Superior Court personnel as well as personnel from the Research and Planning Department of the Office of the Chief Administrative Justice. The computer was utilized to assist in these surveys and develop reports on case types and aging in Barnstable, Norfolk and Worcester counties. Since the initial survey, these courts have elected to maintain this information adding new cases as they are entered. Other counties throughout the state will be brought into this system. The information which is maintained in the computer on civil cases will help to identify backlogs and provide a more detailed statistical basis for allocating court resources.

In response to the request of the Probate and Family Court Department, the Data Processing Department prepared and installed an automated Probation Receipt Accounting System. The system was based on work done by the Probation Office of the District Court in Brockton and was first installed in the Middlesex Probate Court. It monitors all support payments under supervision by the court and, in addition to producing the support payment checks, the system provides a number of reports to aid the probation officers in their responsibility for supervising these accounts.

All budget preparation done by the Trial Court during the past two fiscal years was assisted by automated systems developed by the Data Processing Department. This automated assistance includes the printing of budget preparation sheets which include a listing of all current court personnel, prior year expenses and appropriations. The fiscal office of the Trial Court enters this information and monitors these budgets through an on-line system which indicates recommendations of the Administrative Justice, the Chief Administrative Justice and the review of the legislature with final budget approval. A budget monitoring system posts expenses against these budgets so that the Fiscal Office always has available the current status of funds appropriated, encumbered and expended within the Trial Court.

Personnel data on all court employees is available through an automated system supported by the Data Processing Department. The Personnel Office of the Chief Administrative Justice has ready access to employee data and is able to monitor positions within the court system. Affirmative action personnel within the Office can utilize this data to plan their programs as well. The personnel data in the system has been verified by all supervisors within the Trial Court and will be maintained on a regular basis to reflect position classification information as well as data on employees work address, home address, age, sex, and race. This information has already been used in the preparation of the 1981 Fiscal Year budget to assist budget preparation personnel with an automated list of employees within each of the budgetary units of the court.

MASSACHUSETTS JUDICIAL SYSTEM



THE MASSACHUSETTS TRIAL COURT

The following reports from each of the Trial Court Departments highlight their activities during the last year and describe any new programs introduced during 1980.

BOSTON MUNICIPAL COURT DEPARTMENT

The Boston Municipal Court Department has geographical jurisdiction over the "downtown" area of the city of Boston. Its substantive jurisdiction is identical to the District Court Department.

This Department is one of the busiest courts in the Commonwealth. In order to increase its judicial capacity, it has implemented a variety of programs and policies designed to improve service delivery and reduce costs.

In September of 1980, the Boston Municipal Court Department began operation of a mediation project sponsored jointly with the Massachusetts Bar Association and the Crime and Justice Foundation.

The purpose of this program is to divert certain cases from the courts and attempt to resolve them through an extra-judicial proceeding.

The program currently operating in the Boston Municipal Court Department is similar to many such programs operating throughout the country, but also includes several unique features; the project is financed through private sources and utilizes the services of attorneys who volunteer their time and receive special mediation training.

During its first year of operation, the program expects to handle in excess of 650 cases.

Two projects, which may be expanded on a system-wide basis, have been pilot tested in the Boston Municipal Court Department's Civil Clerk's office during the past year. These programs were designed to increase the efficiency of the operations in the Clerk's office and to better utilize the limited resources available to the Department.

A civil case indexing system was designed for this department with the assistance of the Trial Court Data Processing Department. This system was implemented during 1980 and was designed to reduce the time involved in index preparation. This system will be expanded in scope, based upon the Boston

Municipal Court's experience, and offered by the Trial Court to other Departments.

The Civil Clerk's office was also selected as a test site for a "selective retention of records" project.

This project was designed with the assistance of the Superior Court Department's Colonial Court Records Project. The Project committee designed guidelines for records retention and the Supreme Judicial Court promulgated a rule to allow the Boston Municipal Court Department to implement the guidelines.

The implementation of these guidelines has established a precedent which will allow the Trial Court to reduce the volume of records it maintains without destroying the sense of historical continuity which such records make possible.

The Criminal Clerk's office has the responsibility of maintaining jury-of-six records for Suffolk County. The Boston Municipal Court hears all jury-of-six cases coming from the eight court divisions in Suffolk County. The processing of these cases rests with the Criminal Clerk.

The jury session has been clearing 90% of its cases within 90 days of receipt from the court of origin; this amounts to approximately 3,000 complaints during the last year.

The Criminal Clerk's office has also received initial approval to implement the automated Court Case Management System (CCMS) which is currently on-line in several divisions of the Superior Court Department. The Boston Municipal Court Department is the first court of limited jurisdiction to apply for installation of CCMS, and, if all proceeds as planned, this system may be operational within the next year.

Another project undertaken by the Boston Municipal Court Department during 1980, is the Probation Department's "Court Resource Management" Project. This probation office is the oldest in the country, and has changed very little over the past sixty years.

In order to modernize processes and more effectively utilize the personnel in the probation department, the department applied for and received a $46,500 grant award from the National Institute of Corrections.

Specific projects to be developed with funds provided by this grant include: establishing a plan for the comprehensive delivery of services from pretrial through probation; planning and instituting training from the replacement of traditional probation service delivery with a comprehensive team/specialist model; and, planning for the development of a coordinated referral and resource network utilizing existing agencies.

The planning and training aspects of the project are expected to be completed in six months, and the implementation phase should require an additional six-month period.

DISTRICT COURT DEPARTMENT

During the last year, the District Court Department continued with the implementation of court reorganization and the development of many other projects in the area of judicial administration. The Court Reorganization legislation has had a great impact on the District Court Department necessitating changes in the court's practices and procedures.

Primary among the changes brought about by court reorganization was placing with the District Court Department exclusive and final jurisdiction over all de novo appeals from District Court jury waived criminal trials and over first instance jury trials in District Court criminal cases. The Department has also implemented the new decriminalized motor vehicle proceedings that are heard by Clerk-Magistrates under G.L.c. 90, section 20F and the other new powers of Clerk-Magistrates. In addition, since the 69 divisions of the District Court Department represent by far the largest department of the Trial Court, the task of implementing the many new budgetary, personnel and other administrative changes resulting from court reorganization has been felt strongly in the District Court Department.

Several efforts were undertaken during the past year to strengthen the administration of the District Court jury system. A thorough examination of the caseflow management practices of each of the jury sessions was made in order to identify potential problems. The management data collected each month from the jury sessions was revised in order to be more meaningful. This data is reviewed quarterly in order to identify courts which are in need of special sessions. And uniform procedures

for docketing, filing and recordkeeping were established.

The special attention accorded jury business is yielding dividends. As of June 30, 1980, over two-thirds of the 1,668 defendants with jury cases pending had been pending for 60 days or less, and two-thirds of these had been pending for less than 30 days.

The Administrative Office of the District Court Department completed a number of major projects during the past year.

One such project was the promulgation of Standards on Caseflow Management. The 27 standards, drafted by the District Court Committee on Caseflow Management, Hon. Milton R. Silva (Fall River), Chairman, represent a comprehensive set of working principles and guidelines for the management of District Court caseloads. Of major importance are Standards 1:04 and 5:00 which establish departmental time goals of 60 and 90 days for completion of criminal jury-waived and jury cases respectively. The caseflow management standards represent the first organized body of caseflow management principles adopted by any department of the Trial Court.

Another major project to be completed was the promulgation of a set of Standards for Care and Protection Proceedings. The standards represent an organized body of procedures to be followed in this sensitive area of District Court business. They were drafted by the District Court Committee on Care and Protection and CHINS Proceedings, which is chaired by Hon. Elliot T. Cowdrey (Lowell) and made up of District Court Judges, Clerk-Magistrates and Chief Probation Officers as well as other persons who are concerned with the welfare of families and children.

In the area of sentencing the Administrative Office has distributed a new publication to the District Courts, the *Handbook on Alternative Sentencing in the District Court Department*. The 130-page handbook was drafted by the District Court Committee on Alternative Sentencing, Hon. Paul A. Chernoff (Newton), Chairman. It contains an exhaustive review of the rationale for using "community service" sentencing, information on the legal procedures to be followed and the forms to be used, and an analysis of data showing the circumstances in which alternative sentencing has been used in the District Courts. It also contains a comprehensive appendix describing in detail the approximately 40 alternative sentencing programs in use throughout the District Court Department.

Also during this year, the District Courts promulgated rules for the exercise of the new quasi-judicial authority granted to Clerk-Magistrates under G.L.c. 221, section 62C. This includes the authority to hear decriminalized motor vehicle cases, hold pretrial conferences, review the issuance of dog orders, hold preliminary probation revocation hearings, mediate small claims cases and rule on certain uncontested, non-evidentiary motions. The rules were approved by the Supreme Judicial Court and became effective on September 1, 1980. It is expected that Trial Court-wide rules, modeled after the District Court rules, will be finalized shortly.

Finally, the Chief Justice of the District Court Department established a Special Committee on Compensation and Classification appeals to review all appeals taken by District Court personnel to decisions made by Arthur Young and Co. in the course of its development of a compensation and classification plan for the Trial Court. This included over 600 appeals. The Committee traveled throughout the Commonwealth and heard personally from each appellant. The members of the Committee are to be credited for their very professional approach to this most difficult task. They are: Hon. Joseph A. Furnari (Ipswich), Chairman; Thomas J. Noonan, Clerk-Magistrate (Worcester), Richard J. Dwyer, Chief Probation Officer (Dorchester), and Mary E. Coan, Head Administrative Clerk (Peabody).

A great many other projects received the attention of the Administrative Office over the past year.

During this year the Administrative Office was engaged in a major effort to promote student law-related education in the courts and the schools. Five regional meetings were held around the state, bringing together approximately 300 court and school personnel. From these meetings came many working relationships that led to the establishment of local LRE programs. In addition, a quarterly newsletter, *Courts and the Classroom*, has been started, with 4 issues already published and a circulation of 3,000.

A special Motor Vehicle Task Force was formed in order to address several problems, including the completion and transmission of necessary abstracts to the Registrar of Motor Vehicles and the taking

of drivers' licenses in court in order to expedite an otherwise sometimes cumbersome process. An administrative regulation was promulgated addressing these issues.

The Committee on Continuing Education, Hon. Ernest A. Hayeck (Worcester), Chairman, is responsible for planning ongoing efforts in the area of continuing education. It was largely responsible for planning and presenting, in cooperation with the Franklin N. Flaschner Judicial Institute, Inc., a two-day program on sentencing for District Court Justices. The program was extremely well received. There have also been established a series of periodic regional meetings for Justices and similar meetings for Clerk-Magistrates, to discuss educational topics. In addition, the Committee was begun to study the question of so-called "mandatory" continuing education for court professionals.

The Committee on Standards, Hon. Daniel H. River, (Dedham), Chairman, is one of the oldest and hardest working committees in the District Court Department. Formed in 1973, it has developed several volumes of Standards of Judicial Practice that have organized the various statutes, rules, etc., pertaining to various parts of the judicial process and established standards of good practice in these areas. In draft form are the Trial and Probable Cause Standards, and nearing completion are the Standards for Sentencing and Other Dispositions, with further volumes to follow after these are promulgated.

In the last year, two rules projects were undertaken in the District Court Department - one to revise the Initial Rules of Criminal Procedure, revising them to accommodate the Mass. Rules of Criminal Procedure and renaming them the District Court Supplemental Rules of Criminal Procedure, and the other to completely revise the small claims rules for the Department. Both sets of rules have been completed and are awaiting approval by the Supreme Judicial Court.

Periodically the Administrative Office, either on its own initiative or at the request of a local court, prepares a Court Operations Report on an individual local court. The report is intended to examine primarily the caseflow management practices in the local courts, and is based on sampling data collected at the local court over a short period of time. These reports are helpful to the courts in meeting caseflow management goals and in diagnosing local problems that might not be readily apparent. During the last year reports were done for the Plymouth, Natick and Lowell Divisions.

In order to facilitate communications with Clerk-Magistrates on matters affecting their offices, an important new standing committee, the Advisory Committee of Clerk-Magistrates, was formed. Appointed to the committee were Clerk-Magistrate Warren F. Birch (Ayer), John M. Stellato (New Bedford), Thomas E. Teller (Edgartown) and Philip G. Carr (Pittsfield), and First Assistant Clerk Edward W. Manley (Lawrence). The committee meets monthly with the Chief Justice in order to provide him with its views and to generally discuss and make recommendations on matters of importance to Clerk-Magistrates.

Also designated was a separate Task Force to study the development of the role of the Clerk-Magistrate in the District Court Department. Working with the Task Force was Attorney Susan R. Dillard, former Clerk-Magistrate of the Boston Division of the Housing Court Department. A report based on the committee's work is in draft form and is expected to be finalized soon.

The District Court Department has embarked on a major effort to improve District Court activities in the area of non-support. A Task Force was established under the Chairmanship of Chief Probation Officer Gary Cowles (Peabody). The Task Force has been instrumental in helping draft an administrative regulation establishing new non-support procedures. In addition, a full-time non-support coordinator will soon begin working with the Administrative Office, and the Executive Branch is loaning the courts additional personnel to help pursue in default on support orders. Through these and other efforts that are planned, it is hoped that the collection of ordered non-support collections will be facilitated.

HOUSING COURT DEPARTMENT

The Housing Court Department consists of two divisions: the City of Boston Division and the Hampden Division. The Department has civil and criminal jurisdiction concurrent with the District Court Department and the Superior Court Department in housing related matters arising in Boston and Hampden County. Although both divisions have identical subject matter jurisdiction, the nature

of cases filed in the two divisions differs somewhat.

The Boston Division is an urban housing court which hears a great many cases dealing with housing code violations and landlord-tenant issues, while the Hampden Division, an urban, suburban and rural court hears, in addition to these matters, a larger number of contract and tort actions involving residential property.

Throughout the past year, the Honorable Edward C. Peck, Presiding Justice of the Hampden County Division, served with distinction as the Housing Court Department's representative on the Joint Committee on Uniform Summary Process Rules for the Trial Court. At the close of the year, the rules were in final form for approval by the Supreme Judicial Court.

During the year, both divisions addressed themselves to the improvement of caseflow management. In the Boston Division, the problems inherent in caseflow management were addressed by having a single person assigned to monitor and schedule civil matters to maximize available judicial manpower and fully utilize the court day. Saturday sessions were conducted to hear summary process cases. The court believes that in addition to being a valuable tool to prevent potential backlogs, Saturday sessions, held during non-working hours are a convenience to the public. Through the aggressive management techniques described above, the Boston Division has remained current in all areas.

The Boston Division continued its practice of conducting neighborhood court sessions in various sections of the City for the convenience of the public.

In Hampden County, the Presiding Justice has ordered that the courtroom day begin with motions at 8:30 a.m., and the court runs on an assigned trial schedule, enabling it to maintain a full schedule in the courtroom, often until 5:00 p.m. or later. This schedule has enabled the Hampden County Division to provide trial time for cases which require a speedy hearing, stay current with counsels' requests for trial time and to schedule trials on the court's own order for older, inactive cases. As a result, there are only nine (9) cases which are over three years old, and these are still open at the request of plaintiffs.

In addition, the Hampden County Division continues to have evening sessions for small claims, one evening per month, to accommodate those who work during the day.

The Clerks' offices continue to carry a heavier burden than most. The number of magistrate-conducted show cause hearings in the Boston Division increased to more than 2,000 in 1980; in the second half of 1980 the number of show cause hearings was up approximately 400% over the first half. At the same time, magistrate-conducted utility warrant hearings increased one-third over the preceding year. In Hampden County the large preponderance of service to pro se landlords and tenants in code violations, small claims, and summary process areas contributed to the workload.

During the year, the Presiding Justice ordered approximately thirteen (13) apartment buildings with a total of 417 residents to be brought under the supervision of the Hampden County Division so as to maintain these buildings in a viable condition throughout the winter. This required the clerk's office to receive and account for rent paid into the court by these tenants and to pay out these funds received for fuel and other utility bills and repairs, while general supervision of the buildings was assumed by the housing specialists, and weekly reports were made to the court following continual inspections.

Both divisions continue to provide a high level of service to the public in ways not reflected directly in the number of cases filed. Both divisions have participated in many public service programs, explaining the court and assisting visitors from across the nation interested in the court's achievement. The Boston Division maintains an information package for visitors and people expressing an interest in housing justice.

The Boston Division has been recognized by the American Bar Association as the most comprehensive housing court int he nation with its expansive jurisdiction and statutory powers. Moreover, a Washington, D.C. television station, in a report on housing justice in the nation's capitol, cited the Boston Housing Court as America's finest, and a model worthy of replication.

JUVENILE COURT DEPARTMENT

The Juvenile Court Department, established by chapter 478 of the Acts of 1978, consists of four

divisions: Boston, Bristol County, Springfield and Worcester. The divisions, within their territorial jurisdiction, have exclusive jurisdiction over all cases of Delinquency, CHINS (Children in Need of Services), and Care and Protection petitions. Elsewhere, the local divisions of the District Court Department also act as juvenile courts.

In conjunction with its judicial authority, the Department has instituted many court and community based programs to assist juveniles involved in proceedings before it. These programs involve rehabilitation and retraining for juveniles, and court clinics which offer psychiatric and psychological assistance to children referred by judges or probation officers, a cooperative agreement with the Department of Social Services to place children in foster homes or special schools and to offer supportive services to both parents and youth. The Juvenile Court Department has also developed a network of highly specialized and comprehensive services to aid neglected or abused children.

The Department has continued its ongoing, in-service training programs for its own personnel and some agency personnel providing court support services. Training credits for successful completion of these programs have been approved by the Office of the Commissioner of Probation.

The Juvenile Court Department is in the process of expanding its pilot "emergency judicial response" system established in 1978. The system was established to provide the availability of a judicial hearing on a 24-hour-a-day, seven-days-a-week basis for emergency situations. Court is often held at the site of the emergency and will usually involve an emergency medical situation. With the cooperation and assistance of the Massachusetts State Police and a state grant of funds for communications equipment, the pilot program is being proposed for expansion to cover the entire state.

During 1979, the Department, in conjunction with the Health Care Committee of the Massachusetts Legislature, conducted a seminar to orient the personnel from all hospitals in Massachusetts regarding their legal obligations and proper methods of reporting and processing child abuse, neglect and health care cases. This seminar was the first of its kind ever conducted in the state.

Also during 1979, the Department, in conjunction with the Massachusetts Chapter of the National Committee for the Prevention of Child Abuse, conducted the first educational seminar on Child Abuse, Neglect and Health Care for judges, clerk-magistrates and probation officers of both the Juvenile and District Court Departments.

Both these programs have been expanded during 1980 in preparation for the expansion of the "emergency judicial response" system and will include educational components dealing with the practical as well as legal considerations that will result upon implementation of the system.

The Department, through its Standing Committee on Rules and its five subcommittees, worked throughout 1980 on the preparation of rules of procedure, which will apply to the juvenile courts and juvenile sessions of the District Court Department. Drafts of the rules are in various stages of completion but are expected to be sent to the Supreme Judicial Court for approval in early 1981.

The promulgation of these rules will represent the first comprehensive procedure framework for all juvenile matters.

The Department is also continuing its student training program which provides field work experience to graduate and undergraduate students in such fields as social work, conseling, education, law, medicin, religion and recreation.

LAND COURT DEPARTMENT

The Land Court is a court of specialized state-wide jurisdiction located in the Suffolk County Court House and was established to process petitions for the registration of title to real estate and certain other matters relating to the ownership and use of real estate.

During 1980, in addition to processing its caseload, the Department was involved in several projects designed to modernize its processes and to increase its efficiency.

Among these projects undertaken by the Land Court Department was one conducted in cooperation with the South Middlesex Registry of Deeds and the Department of Housing and Urban Development (HUD).

The program was designed as a pilot project to

increase the efficiency of the registries across the state, in a cost-effective manner which could be easily duplicated in other locations. The result of this effort was the acquisition, by the South Middlesex Registry, of word processing equipment with the capability to automatically produce certificates of title as well as the capability to perform a limited case indexing function.

In addition, staff of the Land Court Department is currently compiling a certificate writer's manual for distribution to all Registries in the Commonwealth to ensure uniformity of language in all locations.

Another major undertaking by the Land Court involves the modernization of the Department's engineering equipment and processing.

In order to assist the engineering function, plans are underway to acquire a computer driven flat bed plotter to assist in compiling plans. The proposal also calls for the acquisition of two terminals to assist with calculations and a graphics terminal.

In the area of caseflow management, the Department has continued its practice of "calling the list" and mandatory pre-trial conferences. The court has also devised a plan to insure the continued currency of the Land Court Department docket. Beginning in January of 1981, any contested matter will automatically be placed on a 60-day list which will require the case either to be settled or brought before the court to be assigned for trial.

In addition to these activities, the Justices of the Land Court Department are designated as Justices of the Superior Court Department by the Chief Administrative Justice to hear cases referred to them by the Administrative Justice of the Superior Court Department. In such instances, the Land Court facilities are used but the cases remain Superior Court matters.

PROBATE AND FAMILY COURT DEPARTMENT

The national divorce rate has risen dramatically in recent years. For every two marriages in the United States, there is one divorce. Massachusetts has not escaped this trend. For every three marriages in Massachusetts, there is one divorce.

The Probate and Family Court has jurisdiction of family law problems in addition to the probating of estates and general equity powers. Answers to complex, difficult questions such as, who will get custody of children in a divorce and how much financial support for children or a spouse will be ordered are determined daily by the Probate and Family Court Department.

In 1980, the Probate and Family Court Department processed 153,000 contested and uncontested matters, most of which were concentrated in difficult, sensitive areas involving divorce, custody, support, alimony, division of marital property and enforcement of court orders.

Several innovative developments occurred in the Probate and Family Court Department in 1980. An individual calendar experiment was instituted in the Suffolk Division and is under evaluation. Mandatory pre-trial conferences were established in the spring of 1980 and have proven exceptionally successful in the settlement of cases, resulting in a preservation of extremely valuable trial time and judicial resources. A pilot program in voluntary mediation is underway in the Middlesex Division, and initial results, while limited, appear encouraging.

Caseflow management was the topic of a judicial conference held for the benefit of justices, registers and trial list clerks. The conference marked the first meeting of a widely diversified group of key personnel in the court division. The conference produced many ideas for the reduction of trial dalay and the more effective handling of domestic relations cases.

In 1980, a judicial conference was held on the subject of wage assignment. Sponsored jointly by the Chief Justice of the Probate and Family Court Department, the Child Support Enforcement Division of the Department of Public Welfare and the Child Support Enforcement branch of the Department of Health, Education and Welfare. The conference developed an awareness of the child support collection efforts of the courts. Child support collections is one of the very important activities of the Family Service Offices of the courts. As the result of a program instituted by the Chief Justice in 1974, the court, through its Probation Departments, collects payments for child support both from and for private litigants and for the Department of Public Welfare. In 1980, more than $14 million was collected.

Since 1974, more than $40 million has been collected as a result of the support enforcement program.

In 1980, the Governor signed into law Chapter 575 of the Acts of 1980 creating five new judgeships, one each in Barnstable, Bristol, Essex, Middlesex and Norfolk Divisions. The need for additional judges was strongly supported by the Massachusetts Bar Association and other organized groups conversant with Probate and court needs. It is to the credit of the Great and General Court and the Governor that such important legislation was acted upon without undue delay. The Probate and Family Courts of Massachusetts are among the busiest of the nation. The recent addition of judicial positions will be of great value in reducing trial delay.

SUPERIOR COURT DEPARTMENT

During calendar year 1980, the Superior Court Department (Superior Court) initiated a variety of new programs.

In May of 1980, Superior Court justices began formal testing of proposed sentencing guidelines as an aid in sentencing defendants convicted after trial. The purposes of the non-binding guidelines are to provide judges with sentencing information; to make sentencing criteria more explicit; and to assist in the judicial goal of fairness and equity in sentencing. The proposed guidelines present a range based on what certain statistical information indicates the average sentence of judges in the Superior Court would have been in any particular case.

The project is consistent with and in cooperation with an ongoing legislative study on sentencing practices. The experimental use of the sentencing guidelines by the Superior Court justices does not, in any way, change statutorily established maximum or minimum sentences.

A sentencing judge using the proposed guidelines retains the option of sentencing outside the suggested range and is encouraged to do so in unusual cases; however, if a sentence is imposed that is outside the maximum or minimum guideline, the reasons for sentencing outside the guidelines will be stated in writing. Periodically, a panel of Superior Court judges will informally review sentences that have fallen outside the guidelines range. Reasons for sentencing outside the guidelines may, in turn, be incorporated into the guidelines as considerations for future sentencing decisions.

The proposed guidelines are the result of statistical studies based on 1,440 Superior Court sentences imposed following conviction during the twelve-month period from November, 1977 through October, 1978. Information on these cases was obtained from the files of probation departments, clerks of court and district attorneys' offices in the ten largest Massachusetts counties.

Four factors - use of weapons, injury to victims, seriousness of current offenses and seriousness of prior offenses - found important to previous sentencing practices form the basis of the proposed guidelines. Each factor is assigned a weight in the guidelines equivalent to its weight in past sentences.

A defendant who is to be sentenced following conviction after trial according to the proposed guidelines receives a "score" for each of the four categories. This "score" represents a number of months of sentence time. For example, as to the first factor, if a dangerous weapon is used in the commission of the crime for which the defendant is convicted, a penalty of nine months is imposed. Each separate incident involving the use of a dangerous weapon results in an additional penalty of nine months above and beyond the accumulated penalties received for other factors. As to the second factor, injury to victim, the penalty for injury inflicted depends on the seriousness of the injury and can range from nine months to 45 months. The penalty for seriousness of the offense, the third factor, depends on the statutory maximum and can range from 2.1 months to 8.4 months for each current felony conviction. The range for each prior felony conviction, the fourth factor, is from 1.6 to 6.4 months.

The scores, in terms of months, for all of the factors are then added together. The total score is the basis for the guidelines range which is from 50% below to 50% above the total score. If, for example, the total score were 60 months, the guidelines range would be from 30 months to 90 months.

The lower limit of 30 months and the upper limit of 90 months both represent "effective" or "real time", that is, time spent incarcerated from imposition or sentence until date of parole eligibility, not counting deduction for good conduct. Under current

practice, "real time", or time actually spent in prison, is usually only a proportion of the sentence imposed by the judge. That proportion varies according to parole rules for that particular type of sentence. The purpose of stating the proposed guidelines ranges in "real time" is to create a penalty scale which expresses all types of sentences in terms of actual time of imprisonment.

Massachusetts is one of the first states to test proposed sentencing guidelines in a court that has state-wide jurisdiction. Superior Court justices will review the results of the testing period at their annual meeting in October, 1980.

The Superior Court Department has been selected by the Law Enforcement Assistance Administration (LEAA) to participate in its Court Delay Reduction Program.

To support the 18-month program, effective June 1, 1980, the Trial Court has been awarded a $259,000 LEAA grant to be administered in the Superior Court Department. The purpose of this program is to demonstrate methods to reduce criminal and civil court case backlog and processing time while maintaining standards of fairness and due process. Initially, project implementation will focus on Suffolk County, which is composed of Boston, Chelsea, Revere and Winthrop and is the most densely populated and second most populous county in the Commonwealth with 724,703 inhabitants. It also has the largest civil and criminal caseload of the fourteen counties. As of June 30, 1980, Suffolk County carried a pending caseload of 25,369 civil cases (10,693 jury and 14,676 non-jury) and 4,489 criminal cases. Civil entries for calendar 1978 and 1979 were slightly under 7,000 cases per calendar year.

As a precondition to program funding, participating jurisdictions were required to attend a regional workshop and seminar on reducing delay. The Northeast Regional Workshop on Reducing Trial Court Delay was held in Columbus, Ohio from June 29, 1980 to July 2, 1980. Teams of judges and lawyers from Massachusetts, New Jersey, New York and Ohio participated in the program.

The Massachusetts team was comprised of Chief Administrative Justice Arthur M. Mason, Administrative Justice James P. Lynch, Jr., Superior Court Justice Thomas R. Morse, Jr., Michael Joseph Donovan, Clerk-Magistrate, Suffolk Superior Court for Civil Business, Mark T. Greeley, Esq., Superior Court Administrative Office, John J. Curtin, Esq., of Bingham, Dana and Gould, President of the Boston Bar, William F. Looney, Jr., Esq., of Moulton and Looney and James D. Casey, General Counsel, Liberty Mutual Insurance Company.

The purpose of the Workshop was to give instruction on the causes of delay and to provide a forum wherein each team could develop a meaningful action plan to reduce case delay. The faculty was made up of representatives of the Institute for Court Management and the National Judicial College.

With the technical support of the Trial Court Data Processing Department, the Superior Court has begun to automate certain minimal civil case data in each Clerk of Courts' office. Automated civil indexing of each pending civil case by docket number, entry date, case type and plaintiff/defendant identifiers gives the court an informational tool. Automated indexing provides the court with case aging and typing information that allows for the most effective matching of judicial resources to caseloads. This data is being updated monthly.

In an effort to strengthen the management component of the Superior Court, a program of Regional Administration was instituted as of January, 1980.

Five regions have been established and administered by a Regional Administrative Justice under the direction of Administrative Justice Lynch as follows:

Region I	Suffolk Norfolk	Hon. Vincent R. Brogna
Region II	Middlesex Essex	Hon. James L. Vallely
Region III	Plymouth Bristol Barnstable Nantucket Dukes	Hon. August C. Taveira
Region IV	Worcester	Hon. Paul V. Rutledge
Region V	Hampden Hampshire Franklin Berkshire	Hon. John F. Moriarty

While continued centralization of some management functions quite properly belong in the Administrative

Office, many such functions are better performed at the local level (for example, assignment of capital cases and appointment of a single justice to sit and convene a medical malpractice tribunal).

Each Regional Administrative Justice is delegated responsibility to manage and coordinate the efforts of other justices, clerks, district attorneys, probation officers and the bar to achieve as smooth and continuous a flow of court business as is possible.

With the exception of Region I, each Regional Administrative Justice has a regional administrator as staff. The regional administrators have, in addition to their regularly assigned duties, been delegated responsibility for automated civil indexing within the region.

One of the successes of the regional administration program, is the institution of a standby juror system in Hampden County at the direction of Regional Administrative Justice John F. Moriarty, Jr.. This system was begun in January, 1980 with the installation of a $2,000 equipment purchase supported by the Law Enforcement Assistance Administration.

Under the phone-in system, all jurors report as usual the first day of the monthly session and all receive orientation. On subsequent days, jurors not otherwise committed, call the jury pool after 3:00 p.m. to find out if they are required to report the following day. This system involves a great deal of cooperation among the justices, jury pool officer and clerical personnel. The rewards in terms of dollars saved are enough to stamp the program a success. Equally important, however, the phone-in system has increased juror satisfaction and minimized wasted juror time.

The Secretary of State for the Commonwealth had requested Superior Court assistance on Presidential Primary Day, March 4, 1980, for voters who might encounter difficulties in exercising their right to vote. In accordance with this request, a justice and clerk in each county were available after regular court hours to hear emergency voting matters. Similar assistance was provided on September 16, 1980 (State Primary Day) and November 4, 1980 (State Election Day).

In 1980, the Superior Court completed its sixth Judicial Intership Program. This program allows law students from each of the area law schools the opportunity to work closely with participating justices and to observe actual court proceedings. Additionally, seminars were conducted to encourage informal and candid discussions amongst students, justices and distinguished trial attorneys.

STATISTICAL APPENDIX

THE BOSTON MUNICIPAL COURT DEPARTMENT

CRIMINAL

Overall, the number of actions initiated in the Boston Municipal Court Department declined in Fiscal Year 1980. After a series of increases in each of the previous four years, the number of actions entered during FY'80, 27,153, fell 3,554 or 12 percent below the FY'79 level. Despite this one year decline, the FY'80 case entry volume stands at 18 percent above that of FY'76.

Sixty-five percent of these total actions were criminal complaints, while the remaining 35 percent were composed of decriminalized motor vehicle complaints.

Motor vehicle violations, 57 percent of the Criminal Business Division's workload, have for the first time been separated into two types -- criminal and non-criminal. Established under Chapter 478 of the Acts of 1978, all motor vehicle violations for which the maximum penalty (see G.L.c. 90, section 20F) does not exceed $100 for the first offence and does not carry with it the penalty of imprisonment are, effective January 1, 1979, non-criminal violations. Decriminalized violations are still processed by the Clerk-Magistrate's office and remain a large portion of the Boston Municipal Court Department's criminal division workload.

A total of 13,627 complaints, criminal and non-criminal combined, were disposed of by the Department during the year; a 22 percent decrease from FY'79.

Fifty-two percent of these total dispositions were rendered by the court in its hearing of criminal complaints. Of the 10,231 criminal complaints disposed of by the Boston Municipal Court Department, defendants pleaded guilty to 1,355 or 13 percent, while for the remaining 87 percent, a plea of not guilty was entered. This decrease in the number of guilty pleas is directly traceable to the decriminalization of the less serious motor vehicle violations. These cases accounted for a large portion of the guilty pleas recorded in past years.

JURY-OF-SIX

During the fiscal year, 3,339 complaints against 1,807 defendants were entered. Seventy-six percent of these complaints were included in requests for jury trials on de novo appeal.

A total of 2,424 complaints were disposed of by the Department in FY80. An additional 437 complaints were removed from active pending status through withdrawal of appeal, default or remand to primary court. Total complaints processed by the Department

during the year reached 2,861, a figure equal to 86 percent of the total complaints entered.

The largest percentage of complaints disposed of, 44 percent, was by guilty plea. Seven percent of all complaints were disposed of after a complete jury trial.

Of the total 3,339 complaint caseload, 14 percent or 478 complaints remained pending at the close of the fiscal year. Seventy-eight percent of these 478 complaints had been pending for 90 days or less at the close of the year. Eighty-five percent of all dispositions during the fiscal year were disposed of within 90 days of the request for jury trial.

NON-CRIMINAL

Eight categories of cases comprise the non-criminal business of the Boston Municipal Court Department. Overall, activity in this case area was up in FY'80.

Non-criminal entries in the Boston Municipal Court Department increased from 31,744 in FY'79 to 33,125 in FY'80, a 4 percent change. Dispositions of non-criminal matters also increased in FY'80, up 1,346 or 8 percent over FY'79 levels.

The largest segment of these entries, 83 percent of the total, is composed of civil cases. Civil case entries were up 14 percent from FY'79, while civil case dispositions underwent a minor, 2 percent, decrease. More detailed information, five-year trends in entries and dispositions, etc., is provided in the charts which follow.

The second largest single case category in the Boston Municipal Court Department non-criminal caseload is small claims. Small claims entries, comprising 8 percent of the total, increased by 3 percent from FY'79. Dispositions of small claims cases rose dramatically, almost doubling the level of dispositions reported in FY'79.

Although the remaining six categories of non-criminal business are a relatively minor portion of the total caseload, approximately 9 percent, a number of major changes took place within these categories.

In terms of case entries, the number of non-criminal matters transferred to the Boston Municipal Court Department from other departments decreased from 2,953 in FY'79 to 368 in FY'80, an 88 percent reduction, while supplementary process cases initiated subsequent to a small claims action increased by 377 or 302 percent.

While entries of transfer cases declined, the disposition of transfer cases by the Boston Municipal Court Department increased by 50 percent. In addition, the disposition of both civil and small claims related supplementary process cases increased by more than 250 percent for each case category.

Additional data with similar breakdowns for each division are provided in the charts which follow. Further information is available from the Boston Municipal Court Department Administrative Office.

BOSTON MUNICIPAL COURT DEPARTMENT

Five-Year Trend in Criminal Business

Entries

						Change			
						FY'76 to FY'80		FY'79 to FY'80	
	FY'76	FY'77	FY'78	FY'79	FY'80	No.	%	No.	%
Motor Vehicle Violations									
--- Criminal Complaints	13,191	12,491	18,275	13,256	6,097	-7094	-54	-7159	-54
--- Decriminalized Complaints	---	---	---	5,340*	9,405	---	---	+4065	+76
Domes.ic Relations	110	81	102	71	57	-53	-48	-14	-20
Other Criminal Complaints	9,799	13,352	11,159	12,040	11,594	1,794	18	-446	-4
TOTAL Entries	23,100	25,924	29,536	30,707	27,153	4,053	18	-3554	-12

*Decriminalization became effective January 1, 1979. This figure covers the six months from this date to the end of the fiscal year.

BOSTON MUNICIPAL COURT DEPARTMENT

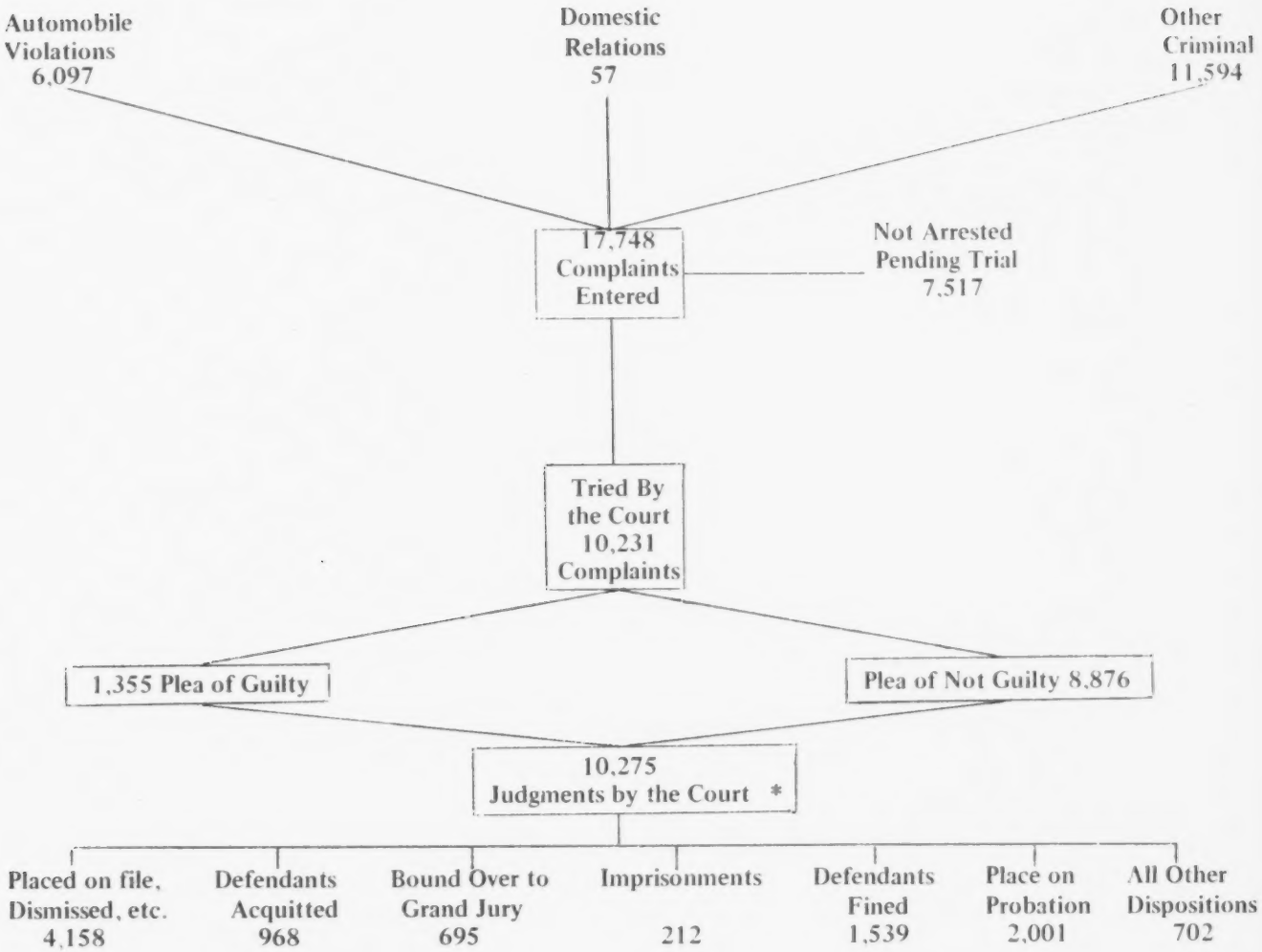
DISPOSITIONS

Decriminalized Motor Vehicle Violations	January 1, 1979 - June 30, 1979	% of Entries	FY'80	% of Entries
Fine Paid	1,918	36%	3,332	35%
Failure to Appear	2,999	56%	5,465	58%

Criminal Complaints	FY'76	FY'77	FY'78	FY'79	FY'80	Change FY'76-FY'80 No.	Change FY'76-FY'80 %	Change FY'79-FY'80 No.	Change FY'79-FY'80 %
Not Arrested, Pending Trial	7,426	13,342	10,168	13,097	7,517	91	1	-5,580	-43
Tried By The Court	15,674	12,582	19,368	17,610	10,231	-5,443	-35	-7,379	-42
Pleaded Guilty	7,391	6,969	10,366	8,473	1,355	-6,036	-82	-7,118	-84
Pleaded Not Guilty	8,283	5,613	9,002	9,137	8,876	593	7	-261	-3
Dispositions of Complaints Tried									
Placed on File, Dismissed, etc.	2,405	2,536	4,017	3,822	4,158	1,753	73	336	9
Defendants Acquitted	1,179	1,129	1,121	1,067	968	-211	-18	-99	-9
Bound Over to Grand Jury	643	640	707	719	695	52	8	-24	-3
Placed on Probation	1,530	1,697	1,715	1,957	2,001	471	31	44	2
Straight Probation	—	403	450	665	783	—	—	118	18
Imprisonment Probation	—	972	797	899	834	—	—	-65	-7
Fine Probation	—	322	468	393	384	—	—	-9	-2
Defendants Fined	8,597	5,356	10,835	7,206	1,539	-7,058	-82	-5,667	-79
Fines Appeals	265	269	151	343	143	-122	-46	-200	-58
Imprisonments	213	149	224	169	212	-1	-.4	43	25
Imprisonments Appealed	607	562	454	263	411	-196	-32	148	56
Probation Appealed	35	52	27	30	50	15	43	20	67
Imprisonment Probation Appealed	194	148	75	105	90	-104	-54	-15	-14
Finding of Guilty Appealed	5	44	42	11	8	3	60	-3	-27
Placed on File Appealed	1	0	0	0	0	-1	-100	—	—
Total	15,674	12,582	19,368	15,682	10,275	-5,399	-34	-5407	-34

BOSTON MUNICIPAL COURT DEPARTMENT

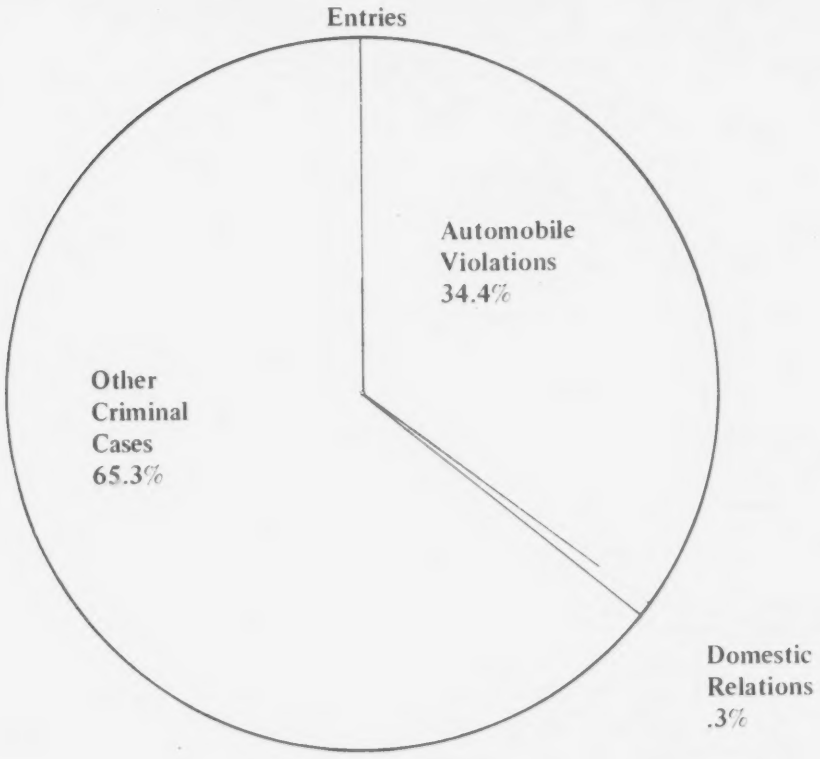
Fiscal Year 1980 Criminal Caseflow

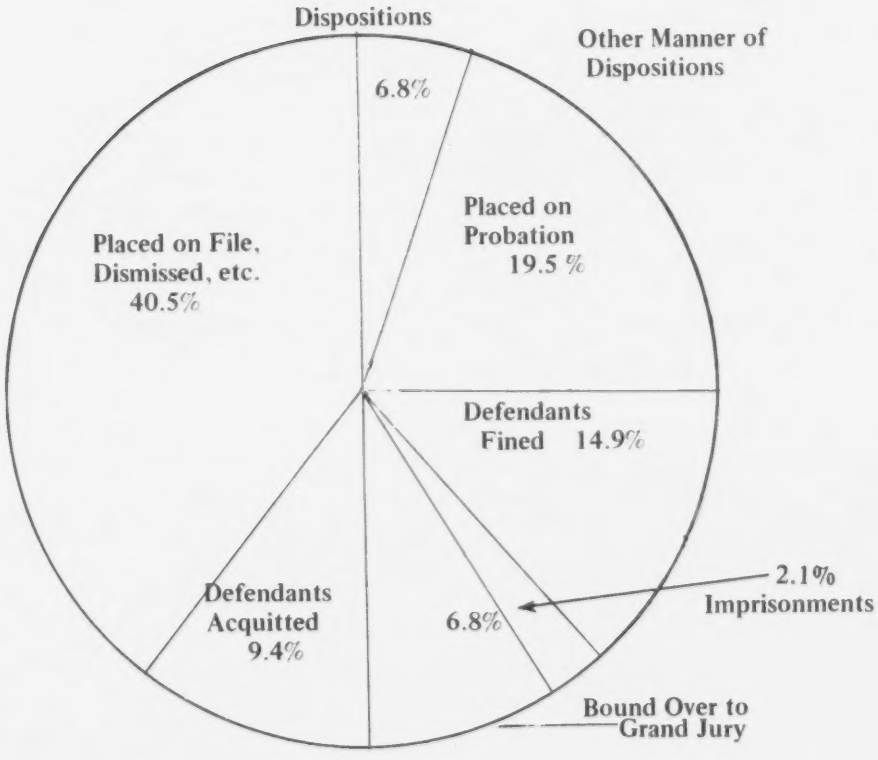

Automobile Violations 6,097
Domestic Relations 57
Other Criminal 11,594
17,748 Complaints Entered
Not Arrested Pending Trial 7,517
Tried By the Court 10,231 Complaints
1,355 Plea of Guilty
Plea of Not Guilty 8,876
10,275 Judgments by the Court *
Placed on file, Dismissed, etc. 4,158
Defendants Acquitted 968
Bound Over to Grand Jury 695
Imprisonments 212
Defendants Fined 1,539
Place on Probation 2,001
All Other Dispositions 702

*Footnote: 10,275 Judgments by the Court on 10,231 complaints tried by the court is the result of multiple judgments.

BOSTON MUNICIPAL COURT DEPARTMENT

Criminal Workload Analysis





BOSTON MUNICIPAL COURT DEPARTMENT

Jury-of-Six Caseload Analysis

Fiscal Year 1980 Active Caseload		
Total Defendants	1,807	
Total Complaints Received	3,339	
First-Instance Complaints	807	24%
Complaints Appealed De Novo	2,532	76%
Dispositions During Fiscal Year 1980 (Count of Complaints)		
After Jury Trial	158	7%
After Bench Trial	791	33%
Guilty Plea	1,062	44%
Primary Court Sentence (Chap. 278, Sec. 24) Imposed	84	3%
Complaints Dismissed before Trial	329	13%
SUB TOTAL	2,424	100%
Other Actions Taken		
Complaints Remanded to Primary Court	7	
Complaints Transferred to Juvenile Court	0	
Total Complaints Defaulted	309	
Total Appeals Withdrawn	121	
SUB TOTAL	437	
TOTAL	2,861	
Aging of Complaints at Disposition		
Under 30 Days	712	29%
31 to 60 Days	917	38%
61 to 90 Days	423	18%
91 to 120 Days	205	8%
Over 120 Days	167	7%
TOTAL	2,424	100%
TOTAL Complaints Untried	478*	
Aging of Complaints Pending at Year End		
Under 30 Days	231	48%
31 to 60 Days	71	15%
61 to 90 Days	73	15%
91 to 120 Days	65	14%
Over 120 Days	38	8%

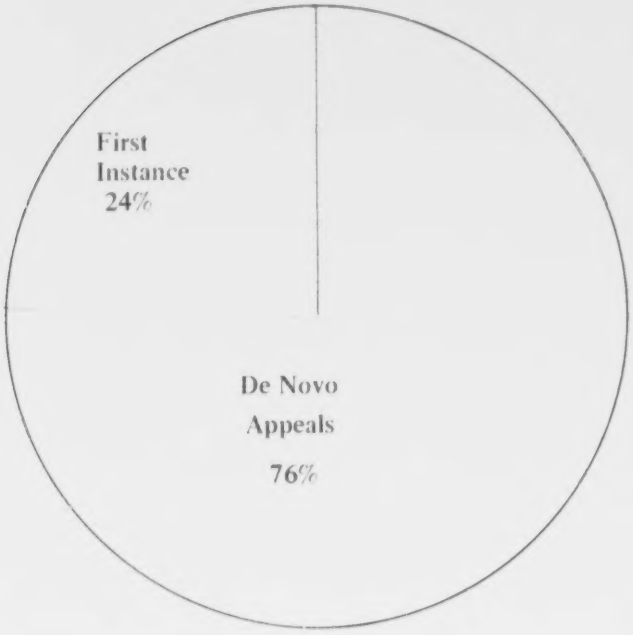
* Includes 357 so-called "Juice Bar" cases on interlocutory appeal.

BOSTON MUNICIPAL COURT DEPARTMENT

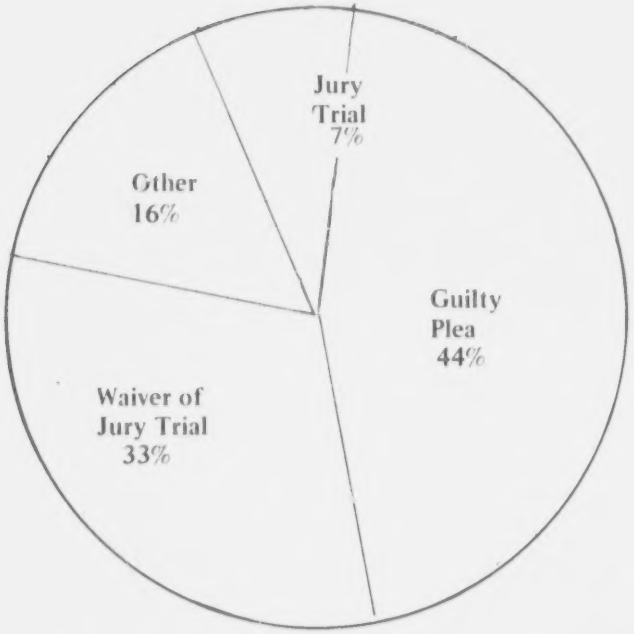
Jury-of-Six Analysis

Based on Defendants

Entries



Dispositions



BOSTON MUNICIPAL COURT DEPARTMENT

Caseload Analysis - Non-Criminal Caseload
FY'79 and FY'80

ENTRIES

Case Type	FY'79	FY'80	Change No.	Change %
Civil Cases	24,221	27,585	3,364	14
Transfer Cases	2,953	368	-2,585	-88
Mental Committments	35	23	-12	-34
Summary Process	520	691	171	33
Small Claims	2,409	2,481	72	3
Supplementary Process (Civil)	1,240	1,247	7	.6
Supplementary Process (Small Claims)	125	502	377	302
URESA Cases	241	225	-16	-7
Total	31,744	33,125	+1,381	+4

DISPOSITIONS

Case Type	FY'79	FY'80	Change No.	Change %
Civil Cases	15,433	15,076	-357	-2
Transfer Cases	407	610	203	50
Mental Committments	35	23	-12	-34
Summary Process	399	362	-37	-9
Small Claims	548	1,529	981	179
Supplementary Process (Civil)	104	393	289	278
Supplementary Process (Small Claims)	100	395	295	295
URESA Cases	241	225	-16	-7
Total	17,267	18,613	-1346	+8

BOSTON MUNICIPAL COURT DEPARTMENT

Workload Analysis

Total Non-Criminal Caseload

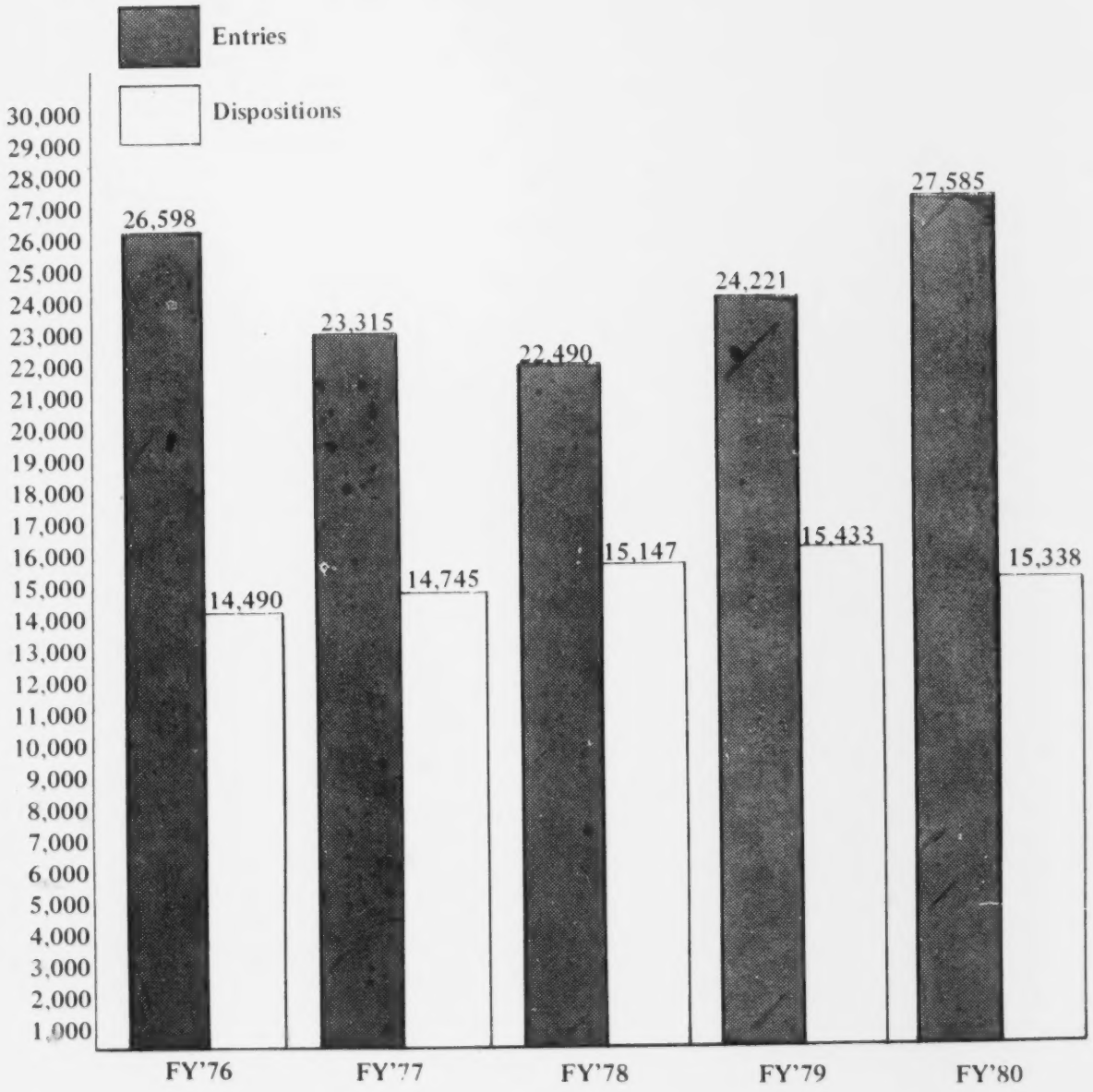
BOSTON MUNICIPAL COURT DEPARTMENT
Five-Year Trend in Civil Caseload*

	FY'76	FY'77	FY'78	FY'79	FY'80	Change FY'76 to FY'80 No.	Change FY'76 to FY'80 %	Change FY'79 to FY'80 No.	Change FY'79 to FY'80 %
Actions Entered - Total	26,598	23,315	22,490	24,221	27,585	987	4	3,364	14
Actions Removed to Superior Court	502	522	540	368	509	7	1	141	38
Actions Defaulted	12,245	11,559	10,919	11,485	10,705	-1540	-13	-780	-7
Marked For:									
Motion List	8,356	8,279	8,239	8,821	8,615	259	3	-206	-2
Trial List	7,696	7,685	7,303	7,521	5,954	-1742	-23	-1567	-21
Trial List									
Non-suits	0	0	0	0	0	----	----	----	----
Defaults	179	0	0	0	708	529	296	708	100
Tried	1,925	2,350	2,844	2,705	2,529	604	31	-176	-7
Reserved	417	411	457	403	464	47	11	61	15
Findings									
For plaintiff	1,774	2,094	2,524	2,475	2,246	472	27	-229	-9
For defendant	171	172	145	109	154	-17	-10	45	41
Appeals to Superior Court	1	0	0	0	5	4	400	5	100
Defendants' Judgments									
Entered by non-suit	11	13	5	0	0	-11	100	----	----
Entered by trial-open court	9	9	8	3	21	12	133	18	600
Entered by trial-reservation	162	163	137	106	133	-29	-18	27	25
Entered by agreement	----	21	110	16	2	2	100	-14	-88
Total defendants' judgment	182	206	260	125	156	-26	-14	31	25
Neither party by agreement	28	16	5	1	112	84	300	111	111
Plaintiffs' Judgments									
Entered by default	11,721	11,898	11,319	11,485	11,790	69	.6	305	3
Entered by trial-open court	1,501	1,792	2,276	2,292	2,044	543	36	-248	-11
Entered by trial-reservation	273	302	248	183	202	-71	-26	19	10
Entered by agreement	785	1,169	1,039	1,347	1,034	249	32	-313	-23
Total plaintiffs' judgments	14,280	14,523	14,882	15,307	15,070	790	6	-237	-2
Executions Issued	12,417	11,780	15,104	13,772	15,076	2,659	21	1,304	9
Transfers to Housing Court	42	52	72	83	0	-42	0	-83	0
Actions Remanded to Federal Court	1	2	0	0	108	107	107	108	100

*This page profiles civil cases strictly and does not include other categories of non-criminal cases.

BOSTON MUNICIPAL COURT DEPARTMENT

Five Year Trends in Civil Caseload



BOSTON MUNICIPAL COURT DEPARTMENT

Report on the Appellate Division - Five-Year Trends

	FY'76	FY'77	FY'78	FY'79	FY'80
Requests for Report	38	12	18	39	25
Reports Allowed	24	4	11	21	10
Reports Dis-Allowed	3	2	1	3	1
Petitions to Establish	3	9	0	0	1
Reports Proved	0	0	0	0	0
Cases Heard	21	14	10	12	10
Cases Decided	11	11	7	10	10
Affirmed	7	6	4	8	9
Reversed	1	5	3	2	1
Modified	0	0	0	0	0
Entire Pre-Trial Ordered	2	0	0	0	0
Partial Re-Trial Ordered	0	0	0	0	0
Motions	0	0	0	0	3
Cases Consolidated	46	7	7	8	8
Appeals to Supreme Judicial Court	2	1	1	2	3
Appeals to Supreme Judicial Court-Perfected	0	0	1	0	0
Appeals to Supreme Judicial Court-Affirmed	0	0	0	0	1
Appeals to Supreme Judicial Court-Reversed	0	0	1	0	1

THE DISTRICT COURT DEPARTMENT

CRIMINAL

Total criminal complaints entered and disposed of in the District Court Department in Fiscal Year 1980 were down 20 percent from the FY'79 levels. These decreases in both entries and dispositions were limited to motor vehicle complaints, the largest portion of the Department's criminal caseload. While motor vehicle complaints entered decreased by 29 percent, entries for all other criminal complaint types increased by 5 percent. Total appeals to jury sessions were also down slightly, by less than 1 percent.

This decrease in criminal caseflow figures is the result of the decriminalization of all motor vehicle violations (excluding parking) in which the maximum penalty does not exceed $100 for the first offense and does not carry with it a penalty of imprisonment (see G.L.c. 90, section 20F). These decriminalized violations, while no longer requiring court time, are still processed by the clerk magistrates of each division, and, therefore, they do not constitute a decrease in the workload of that office.

The decriminalization of motor vehicle violations was established by Chapter 478 of the Acts of 1978 to become effective January 1, 1979, and Fiscal Year 1980 is the first year in which decriminalized violations and dispositions are not included in the caseload figures reported.

PARKING VIOLATIONS

In FY'80, tickets returned, that is, tickets received for processing by the 69 District Court Divisions from various police authorities around the Commonwealth, declined by 3 percent. Tickets paid, a figure equal to 40 percent of ticket returns, were down by 4 percent.

Activity by the District Court Department in collecting unpaid parking fines was up. Complaints issued increased by 101,083 or 11 percent, while complaints disposed of increased by 19,659 or 5 percent.

JURIES-OF-SIX

The 16 District Court Divisions which act as regional jury-of-six locations for the Department began the fiscal year with 1,238 jury requests pending.

During the year, an additional 10,795 jury requests were received by the Department. Sixty-five percent

of these requests were de novo appeals, while 35 percent were requests for a jury trial in the first instance. Only five percent of the total jury request involved juvenile delinquency or CHINS cases. The remaining 95 percent were requests for a jury in adult criminal complaint cases.

For the total fiscal year caseload of 12,033 requests, 891 appeals, and, therefore, jury requests, were withdrawn. Of the net caseload, 11,142 cases, 80 percent, or 8,868 were disposed of by the court.

Forty percent of these dispositions were by guilty plea. Nineteen percent were disposed of after jury trial, 15 percent after a bench trial, and 26 percent by other manner of disposition.

By the close of the fiscal year, 1,126 defaults were outstanding against defendants requesting jury trials.

The active pending caseload has increased by 430 cases. Eighty one percent of this active caseload had been pending for 90 days or less.

NON-CRIMINAL

Total non-criminal matters initiated in the District Court Department in FY'80 were down a slight 1 percent from FY'79. Similiarly, dispositions of non-criminal matters were also down, a decline of 10 percent, with dispositions equalling 62 percent of the number of actions initiated during the year.

The largest segment of the non-criminal actions initiated in FY'80 is Small Claims cases, 40 percent of the total. Both entries and dispositions in this case category were down, a decrease of 4 percent and 7 percent, respectively.

Civil entries, comprising 26 percent of total entries, increased 4 percent over the FY'79 volume, while dispositions decreased 10 percent.

For Supplementary Process cases, the volume of entries for combined civil and Small Claims Supplementary Process decreased by 7 percent, and the combined dispositions volume increased 6 percent from FY'79.

These three casetypes comprised 88 percent of the District Court Department's total FY'80 non-criminal caseload. Figures for the remaining four casetypes--Summary Process, transfer, mental commitment and URESA cases -- are provided in the charts which follow.

JUVENILE

The District Court Department receives three types of juvenile-related cases: Delinquency Complaints, Applications for Children in Need of Services (CHINS) and Care and Protection complaints.

Juvenile Delinquency complaints are the largest in number, 37,337 entries in FY'80. This is down 8 percent from FY'79. Motor vehicle related delinquency complaints, 26 percent of the total, were down 12 percent, while all other delinquency complaints were down 6 percent.

Dispositions of Juvenile Delinquency complaints were also down 12 percent from the previous fiscal year. Dispositions equalled 76 percent of the total entry figure for FY'80.

Children in Need of Services applications were up 20 percent in FY'80. Correspondingly, petitions issued were also up 4 percent over FY'79.

Dispositions of CHINS cases, down 3 percent, more than kept pace with petitions issued.

Finally, Care and Protection cases received by the District Court Department increased 4 percent from FY'79, while dispositions declined by 2 percent.

Additional data with similar breakdowns for each division are provided in the charts which follow. Further information is available from the District Court Department Administrative Office.

DISTRICT COURT DEPARTMENT

Summary Report of Criminal Business

CRIMINAL	FY'79	FY'80	Change FY'79 to FY'80 No.	%
Motor Vehicle Complaints*	590,070	420,554	-169,516	-29
All Other Complaints	198,120	208,026	+9,906	+5
Total Criminal Complaints*	788,190	628,580	-159,610	-20
Criminal Complaints Dispositions*	594,738	478,695	-116,043	-20
Total Appeals to Jury Sessions	20,715	20,711	-4	-.01
PARKING VIOLATIONS				
Tickets Returned	2,687,857	2,611,542	-76,315	-3%
Tickets Paid	1,086,583	1,040,921	-45,662	-4%
Complaints Issued	817,288	918,371	+101,083	+11%
Complaints Disposed Of	414,664	434,323	+19,659	+5%

*Decrease due to decriminalization of certain Motor Vehicle violations. See text for further explanation.

DISTRICT COURT DEPARTMENT

Summary Report of Non-Criminal Business

CIVIL BUSINESS	Fiscal Year		Change FY'79 to FY'80	
	FY'79	FY'80	No.	%
Entries	73,993	76,661	2,668	+4
Dispositions	50,878	45,985	-4,893	-10
TRANSFER CASES				
Received	3,255	3,001	-254	-8
Dispositions	2,352	2,500	148	6
MENTAL COMMITMENTS				
Received	2,616	2,514	-102	-4
Dispositions	2,269	2,300	31	1
SUMMARY PROCESS CASES				
Entries	23,103	24,378	1,275	6
Dispositions	16,483	18,527	2,044	12
SMALL CLAIMS CASES				
Entries	122,163	117,801	-4,362	-4
Dispositions	87,552	81,204	-6,348	-7
Appeals	684	767	83	12
SUPPLEMENTARY PROCESS CASES				
Entries	67,530	65,802	-1,728	-3
Dispositions	27,492	29,191	1,699	6
URESA CASES				
Entries	4,374	4,457	83	2
Dispositions	2,328	2,302	-26	-1
TOTAL				
Entries	297,034	294,614	-2,420	-1
Dispositions	187,085	182,009	-5,076	-3

DISTRICT COURT DEPARTMENT

Summary Report of Juvenile Business

JUVENILE DELINQUENCY	Fiscal Year FY'79	FY'80	Change FY'79 to FY'80 No.	%
Motor Vehicle Complaints	11,082	9,792	-1290	-11.6
Total Juvenile Complaints	40,359	37,337	-3022	-8.1
Complaints Disposed Of	32,074	28,363	-3711	-11.6
CHILDREN IN NEED OF SERVICES				
Applications	2,664	3,218	+554	+20.1
Petitions Issued	1,525	1,586	+61	+4
Dispositions	1,899	1,839	-60	-3.2
CARE AND PROTECTION				
Received	1,189	1,237	+48	+4
Disposed	847	671	-176	-20.7

DISTRICT COURT DEPARTMENT

Report on Appellate Division Statistics for Fiscal Year 1980

	DISTRICT			
	Northern	Western	Southern	Total
Appeals Received	45	23	1	69
Proceedings on Appeals				
On Merits	28	23	0	51
On Petitions to Establish a Report	8	1	0	9
Other	0	1	0	1
TOTAL Proceedings on Appeals	36	25	1	62
Dispositions of Appeals				
Report Dismissed	19	16	1	36
New Trial Ordered	2	1	0	3
Finding Reversed	7	3	0	10
Petition Allowed	1	0	0	1
Petition Denied/Dismissed	2	0	0	2
Other	1	1	0	3
TOTAL Appeals Disposed Of	32	21	1	54
Average Duration of Appeals (Days)				
Trial Court Judgment to Appellate Division Entry	144	222		
Appellate Division Entry to Disposition	320	279	60	
Motions				
Motions to Consolidate	3	8	0	11
Other Motions (Exclude Motions in Cases Reported Above)	1	2	0	3
Total Motions Received	4	10	0	14
Preceedings on Motions	2	5	0	7
Motions Disposed Of	4	10	0	14

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980

Criminal Statistics

	Motor Vehicle Complaints	Total Criminal Complaints	Motor Vehicle as a % of Total Complaints	Criminal Complaints Disposed of	Dispositions as a % of Complaints	Appeals to Jury Sessions
Attleboro	2,606	5,567	47	3,986	72	107
Ayer	13,435	16,367	82	5,508	34	363
Barnstable	7,208	13,931	52	8,921	64	197
Brighton	5,227	6,979	75	4,326	62	44
Brockton	11,864	19,383	61	18,817	97	738
Brookline	1,553	2,470	63	932	38	12
Cambridge	12,863	18,888	68	14,200	75	766
Charlestown	666	1,132	59	842	74	94
Chelsea	6,493	9,720	67	8,497	87	470
Chicopee	3,021	3,874	78	2,310	60	38
Clinton	1,585	2,826	56	3,031	107	131
Concord	6,268	8,439	74	5,583	66	714
Dedham	7,029	9,341	75	4,678	50	206
Dorchester	5,526	10,314	54	7,829	76	550
Dudley	21,203	23,703	89	15,531	66	515
East Boston	1,592	3,671	43	2,822	77	391
Edgartown	221	746	30	508	68	7
Fall River	12,586	19,494	65	9,467	49	328
Fitchburg	1,426	3,514	41	2,664	76	155
Framingham	8,790	14,642	60	9,306	64	254
Gardner	5,563	6,768	82	2,583	38	116
Gloucester	1,657	3,748	44	3,710	99	684
Greenfield	1,549	3,051	51	2,833	93	164
Haverhill	5,349	7,432	72	6,944	93	11
Hingham	6,274	11,964	52	9,742	81	859
Holyoke	3,309	5,246	63	4,681	89	342
Ipswich	277	624	44	578	93	20
Lawrence	13,477	18,224	80	17,946	98	352
Leominster	2,796	3,772	74	1,577	42	168

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980

Criminal Statistics

	Motor Vehicle Complaints	Total Criminal Complaints	Motor Vehicle as a % of Total Complaints	Criminal Complaints Disposed of	Dispositions as a % of Complaints	Appeals to Jury Sessions
Lowell	6,814	13,373	51	9,242	69	132
Lynn	5,268	11,939	44	11,534	97	696
Malden	6,432	9,635	68	4,189	43	141
Marlborough	7,124	11,480	62	7,621	66	107
Milford	6,293	7,316	86	5,010	68	63
Nantucket	232	485	48	325	67	21
Natick	796	2,672	30	3,762	141	110
New Bedford	8,463	13,235	64	5,521	42	195
Newburyport	1,127	2,348	48	1,994	85	301
Newton	10,207	12,073	85	10,088	84	333
North Brookfield	5,288	6,618	80	5,219	79	127
Northampton	3,580	6,100	59	4,163	68	241
Northern Berkshire	2,439	5,494	44	5,122	93	102
Orange	3,686	4,717	78	4,294	91	17
Orleans	2,306	5,188	44	3,281	63	260
Palmer	6,841	8,002	85	3,782	47	92
Peabody	9,186	11,591	79	8,142	70	429
Pittsfield	1,811	4,270	42	3,330	78	56
Plymouth	6,842	10,317	66	8,709	84	229
Quincy	11,861	18,657	64	14,107	76	520
Roxbury	3,351	9,471	35	4,118	43	217
Salem	23,927	25,672	93	11,549	45	86
Somerville	4,330	7,188	60	4,786	67	378
South Boston	1,221	2,312	53	2,144	93	186
Southern Berkshire	2,091	3,518	59	2,428	69	66
Springfield	5,168	16,341	32	17,600	107	1,288
Stoughton	12 685	14,664	87	11,255	77	342
Taunton	2,844	6,308	45	9,084	144	566
Uxbridge	4,988	6,130	81	3,474	57	75

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980

Criminal Statistics

	Motor Vehicle Complaints	Total Criminal Complaints	Motor Vehicle as a % of Total Complaints	Criminal Complaints Disposed of	Dispositions as a % of Complaints	Appeals to Jury Sessions
Waltham	14,913	18,185	82	15,820	87	238
Ware	275	574	48	516	90	7
Wareham	4,574	7,507	61	8,136	108	211
Westborough	22,548	25,305	89	21,815	86	1,117
Westfield	1,589	3,161	50	1,859	59	18
West Roxbury	8,535	15,264	56	7,857	51	383
Winchendon	384	646	59	443	69	33
Woburn	6,006	9,993	60	8,033	80	848
Worcester	39,842	51,617	77	42,182	82	1,466
Wrentham	4,752	7,661	62	6,333	83	225
TOTAL	420,829	629,154	67%	479,219	76%	20,718

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980

Parking Violations

	Tickets Returned	Tickets Paid	Tickets Pd. as a % of Returns	Complaints Issued	Complaints Disposed Of	Dispositions as a % of Issued
Attleboro	11,364	6,253	55	0	0	---
Ayer	161	89	55	28	28	100
Barnstable	N/A	9,096	---	N/A	N/A	---
Brighton	131,910	36,270	27	14,403	7,646	53
Brockton	21,842	9,451	43	9,179	5,149	56
Brookline	195,288	95,834	49	14,269	1,850	13
Cambridge	407,393	103,713	25	371,417	130,318	35
Charlestown	5,014	1,396	28	3,618	2,431	67
Chelsea	26,463	9,479	36	11,271	6,512	58
Chicopee	0	0	---	0	0	---
Concord	22,905	13,234	58	6,675	6,926	104
Dedham	45,081	22,880	51	0	0	---
Dorchester	26,512	4,496	17	3,596	349	10
Dudley	1,223	957	78	N/A	N/A	---
East Boston	83,216	26,981	32	46,259	22,084	48
Edgartown	10,425	3,649	35	1,939	1,760	91
Fall River	46,200	22,003	48	N/A	272	---
Fitchburg	11,274	9,175	81	7,420	3,620	49
Framingham	11,766	4,211	36	1,728	692	40
Gardner	6,491	3,806	59	2,339	2,440	104
Gloucester	63,828	23,604	37	0	0	---
Greenfield	2,938	1,525	52	294	320	109
Haverhill	2,863	844	29	395	362	92
Hingham	9,945	3,415	34	4,330	3,589	83
Holyoke	11,378	4,768	42	6,588	4,292	65
Ipswich	1,325	510	38	0	0	---
Lawrence	41,362	22,741	55	16,713	13,952	83
Leominster	3,003	1,509	50	579	508	88
Lowell	52,235	21,893	42	1,510	1,506	99
Lynn	51,490	15,715	31	26,917	13,500	50

DISTRICT COURT DEPARTMENT

Report on Court Statistics for Fiscal Year 1980

Parking Violations

	Tickets Returned	Tickets Paid	Tickets Pd. as a % of Returns	Complaints Issued	Complaints Disposed Of	Dispositions as a % of Issued
Malden	93,677	39,299	42	19,736	15,159	77
Marlborough	11,092	4,532	41	131	178	136
Milford	7,095	5,372	76	132	203	154
Nantucket	4,030	2,032	50	60	430	717
Natick	5,899	2,208	37	860	334	39
New Bedford	54,383	24,635	45	0	0	---
Newburyport	7,025	3,588	51	0	0	---
Newton	116,485	39,748	34	29,953	21,130	71
North Brookfield	533	431	81	N/A	N/A	---
Northampton	75,620	46,618	62	10,975	4,624	42
Northern Berkshire	3,728	3,024	81	472	453	96
Orange	671	127	19	7	7	100
Orleans	29,436	8,359	28	271	136	50
Palmer	1,157	694	60	4	1	25
Peabody	10,006	6,110	61	2,068	1,317	64
Pittsfield	48,619	33,458	69	11,680	9,321	80
Plymouth	8,665	3,543	41	866	766	88
Quincy	94,072	48,574	52	82,195	49,165	60
Roxbury	214,724	45,738	21	119,831	51,520	43
Salem	81,536	56,243	70	0	0	---
Somerville	74,565	23,894	32	18,800	10,673	57
South Boston	22,719	8,215	36	6,006	3,640	61
Southern Berkshire	1,996	1,644	82	352	327	93
Springfield	79,608	24,647	31	24,222	15,191	63
Stoughton	2,217	1,336	60	152	310	204
Taunton	14,556	9,210	63	0	0	---
Uxbridge	2,566	1,784	70	670	664	99
Waltham	32,455	5,417	17	1,620	1,483	92
Ware	537	89	17	10	9	90

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980

Parking Violations

	Tickets Returned	Tickets Paid	Tickets Pd. as a % of Returns	Complaints Issued	Complaints Disposed Of	Dispositions as a % of Issued
Wareham	3,357	2,491	74	163	145	89
Westborough	2,787	1,717	62	47	216	460
Westfield	N/A	N/A	—	N/A	N/A	—
West Roxbury	22,636	7,318	32	9,069	3,540	39
Winchendon	52	47	90	27	21	78
Woburn	16,990	7,274	43	4,825	2,387	49
Worcester	160,519	88,920	55	21,375	10,683	50
Wrentham	634	3,088	—	71	31	44
TOTAL	2,611,542	1,040,921	40%	918,371	434,323	47%

DISTRICT COURT DEPARTMENT

Juries-of-Six Report

SUMMARY SHEET

Court Location	Active Start Pending	Trial Requests	Appeals Withdrawn	Dispositions	Defaults Pending	Active End Pending	Change In Pending No.	%
Barnstable	64	319	39	279	17	54	-10	-16
Cambridge	34	1,017	94	771	256	113	79	232
Dedham	78	1,119	127	756	80	265	187	240
Edgartown	2	16	0	7	2	0	-2	---
Fall River	80	640	26	560	52	83	3	4
Framingham	155	982	89	855	68	155	---	---
Greenfield	20	72	15	61	5	15	-5	25
Haverhill	156	885	85	765	89	120	-36	-23
Lowell	139	842	65	786	117	94	-45	-32
Nantucket	1	24	0	22	0	3	2	200
Northampton	6	172	38	118	14	19	13	217
Pittsfield	35	196	41	149	0	50	15	43
Salem	86	803	57	536	89	197	111	129
Springfield	64	681	65	550	52	99	35	55
Wareham	174	998	56	819	149	235	61	35
Worcester	144	2,029	94	1,834	136	166	22	15
TOTAL	1,238	10,795	891	8,868	1,126	1,668	430	35

DISTRICT COURT DEPARTMENT

Juries-of-Six Report

JURY TRIAL REQUESTS

Court Location	FIRST INSTANCE Criminal	Juvenile/ Chins	Total	DE NOVO APPEALS Criminal	Juvenile/ Chins	Total	Total Requests
Barnstable	85	0	85	216	18	234	319
Cambridge	244	7	251	708	58	766	1,017
Dedham	303	6	309	764	46	810	1,119
Edgartown	1	3	4	12	0	12	16
Fall River	179	0	179	441	20	461	640
Framingham	365	12	377	569	36	605	982
Greenfield	21	14	35	37	0	37	72
Haverhill	312	9	321	509	55	564	885
Lowell	405	8	413	376	53	429	842
Nantucket	10	0	10	12	2	4	24
Northampton	29	1	30	128	14	142	172
Pittsfield	59	1	60	134	2	136	196
Salem	351	0	351	438	14	452	803
Springfield	220	0	220	461	0	461	681
Wareham	394	8	402	522	74	596	998
Worcester	711	0	711	1,318	0	1,318	2,029
TOTAL	3,689	69	3,758	6,645	392	7,037	10,795
Percentage	98%	2%	100%	94%	6%	100%	----
Breakdown	34%	1%	35%	61%	4%	65%	100%

DISTRICT COURT DEPARTMENT

Juries-of-Six Report

DISPOSITIONS

Court Location	After Guilty Plea		After Jury Trial		After Non-Jury Trial		Other		Total	Dispositions As a % of Total Reques
	No.	%	No.	%	No.	%	No.	%		
Barnstable	169	62	53	20	16	1	41	16	279	87
Cambridge	318	41	162	21	106	14	185	24	771	76
Dedham	255	34	136	18	139	18	226	30	756	68
Edgartown	6	86	0	0	0	0	1	14	7	44
Fall River	177	32	63	11	98	17	222	40	560	88
Framingham	203	24	236	28	268	31	148	17	855	87
Greenfield	18	30	8	13	24	39	11	18	61	85
Haverhill	442	58	113	15	102	13	108	14	765	86
Lowell	273	35	117	15	31	4	365	46	786	93
Nantucket	4	18	3	14	1	4	14	64	22	92
Northampton	20	17	22	19	55	46	21	18	118	69
Pittsfield	64	43	28	19	11	7	46	31	149	76
Salem	355	66	139	26	14	3	28	5	536	67
Springfield	176	32	103	19	170	31	101	18	550	81
Wareham	11	1	150	18	264	32	394	48	819	82
Worcester	1,069	58	324	18	59	3	382	21	1,834	90
TOTAL	3,560	40%	1,657	19%	1,358	15%	2,293	26%	8,868	82%

*Based on FY'80 requests only.

DISTRICT COURT DEPARTMENT

Juries-of-Six Report

Age of Active Caseload Pending on June 30, 1980
Measured in Days

Court Location	Under 30		31 to 60		61 to 90		91 to 120		Over 120		Total Defendants
	No.	%	No.	%	No.	%	No.	%	No.	%	
Barnstable	22	41	20	37	5	9	3	6	4	7	54
Cambridge	65	58	18	16	15	13	5	4	10	9	113
Dedham	79	30	62	23	65	25	34	13	25	9	265
Edgartown	0	---	0	000	0	---	0	---	0	---	0
Fall River	26	31	23	28	5	6	4	5	25	30	83
Framingham	80	52	47	30	7	5	11	7	10	6	155
Greenfield	7	47	1	7	3	20	0	0	4	26	15
Haverhill	96	80	14	12	5	4	1	1	4	3	120
Lowell	37	39	35	37	15	16	2	2	5	6	94
Nantucket	3	100	0	0	0	0	0	0	0	0	3
Northampton	10	53	2	11	5	26	1	5	1	5	19
Pittsfield	24	48	0	0	7	14	5	10	14	28	50
Salem	77	39	44	22	41	21	25	13	10	5	197
Springfield	45	46	32	32	7	7	2	2	13	13	99
Wareham	66	28	46	20	28	12	34	14	61	26	235
Worcester	134	81	21	13	10	6	0	0	1	0	166
TOTAL	771	46	365	22	218	13	127	8	187	11	1,668

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980
Non-Criminal Statistics

	Civil Cases		Transfer Cases		Inquests	Violent Crime Victims		Mental Commitments	
Location	Entries	Dispositions	Received	Dispositions	Held	Claims	Dispositions	Petitions	Dispositions
Attleboro	793	517	31	35	0	0	1	12	12
Ayer	401	233	7	28	0	0	0	20	17
Barnstable	1,801	353	51	17	0	6	0	82	77
Brighton	428	234	4	8	0	12	10	2	2
Brockton	2,221	1,211	9	0	0	4	0	429	406
Brookline	1,132	297	17	13	0	4	3	18	18
Cambridge	4,687	2,427	70	52	0	12	14	40	40
Charlestown	326	223	26	3	0	12	5	0	0
Chelsea	913	605	15	211	0	4	3	0	0
Chicopee	187	26	15	4	0	6	6	46	46
Clinton	208	39	16	32	0	0	0	5	5
Concord	1,002	851	63	68	1	0	1	30	29
Dedham	1,837	1,182	38	83	1	3	3	110	114
Dorchester	474	278	13	22	9	36	30	43	43
Dudley	363	259	35	39	2	2	0	12	0
East Boston	449	336	4	5	0	20	11	5	5
Edgartown	119	54	0	0	0	0	0	0	0
Fall River	1,372	1,260	30	38	0	8	19	5	5
Fitchburg	672	838	35	45	0	0	1	29	27
Framingham	1,966	1,586	62	60	0	5	2	5	5
Gardner	298	197	17	18	0	3	1	0	0
Gloucester	447	162	7	5	0	3	0	7	7
Greenfield	400	351	4	4	0	2	2	3	3
Haverhill	1,698	977	28	21	0	4	2	14	11
Hingham	1,011	597	5	15	0	3	1	0	0
Holyoke	121	52	32	23	1	1	0	10	10
Ipswich	364	104	0	0	1	1	1	0	0

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980
Non-Criminal Statistics

Location	Summary Process		Small Claims			Supplementary Process (Civil)		Supplementary Process (Small Claims)		U. R. E. S. A.	
	Entries	Dispositions	Entries	Dispositions	Appeals	Entries	Dispositions	Entries	Dispositions	Entries	Dispositions
Attleboro	290	224	1,696	1,079	8	307	168	374	137	123	104
Ayer	191	142	1,649	1,077	5	249	28	448	130	91	59
Barnstable	261	61	3,235	560	1	532	61	598	161	102	46
Brighton	514	318	957	492	8	305	212	166	123	60	58
Brockton	1,071	746	2,881	1,781	24	982	814	781	178	80	23
Brookline	289	262	934	439	27	332	57	138	71	33	19
Cambridge	867	437	2,841	2,801	51	895	851	1,062	670	101	14
Charlestown	232	188	411	281	0	194	147	212	183	28	7
Chelsea	565	428	1,723	1,109	9	613	259	613	259	20	11
Chicopee	[illegible]	2	1,202	920	6	101	9	262	53	134	0
Clinton	73	42	747	514	1	117	206	200	177	37	0
Concord	171	111	1,566	1,366	16	359	164	263	95	49	58
Dedham	175	118	1,742	717	31	612	331	502	58	73	35
Dorchester	1,325	1,116	2,793	1,665	12	1,097	779	---	354	142	83
Dudley	231	155	1,466	1,192	2	207	70	652	292	116	70
East Boston	364	288	1,431	753	5	433	84	1,062	381	23	12
Edgartown	13	11	823	540	0	20	10	40	36	12	3
Fall River	466	378	2,459	1,564	17	332	140	586	134	100	49
Fitchburg	229	212	2,481	2,538	1	272	168	633	103	55	39
Framingham	655	415	2,574	1,647	12	571	207	499	193	62	61
Gardner	112	78	897	742	0	127	40	288	64	27	14
Gloucester	128	106	1,204	846	5	256	106	742	649	19	18
Greenfield	207	176	1,107	719	4	70	11	257	103	36	34
Haverhill	380	296	1,421	1,241	4	388	310	486	422	61	58
Hingham	172	146	1,501	1,137	19	523	276	53	21	45	14
Holyoke	5	2	803	505	12	71	36	188	79	63	5
Ipswich	16	6	326	187	3	41	12	41	8	7	0

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980
Non-Criminal Statistics

	Civil Cases		Transfer Cases		Inquests	Violent Crime Victims		Mental Commitments	
Location	Entries	Dispositions	Received	Dispositions	Held	Claims	Dispositions	Petitions	Dispositions
Lawrence	2,384	548	39	32	0	19	10	0	0
Leominster	481	288	33	26	0	0	0	10	1
Lowell	2,700	1,991	46	31	1	15	10	100	89
Lynn	2,795	954	60	38	0	16	5	4	4
Malden	2,145	781	242	189	0	30	5	1	6
Marlborough	470	269	9	9	0	0	0	0	0
Milford	497	268	32	26	---	1	0	13	11
Nantucket	101	43	0	0	0	0	0	0	0
Natick	335	311	5	5	0	0	1	3	3
New Bedford	1,899	1,124	36	53	0	5	8	6	1
Newburyport	303	199	1	1	0	0	0	2	2
Newton	1,432	1,132	30	28	0	2	3	22	22
North Brookfield	183	119	18	27	0	0	0	0	0
Northampton	1,340	658	65	23	0	4	0	167	158
Northern Berkshire	619	548	10	7	0	2	2	2	2
Orange	82	57	0	0	0	17	14	21	19
Orleans	558	273	25	5	0	1	0	24	24
Palmer	165	121	67	57	0	2	2	28	26
Peabody	1,635	820	25	20	0	3	0	5	5
Pittsfield	1,128	531	45	32	0	2	0	1	1
Plymouth	1,032	669	6	9	0	0	0	38	38
Quincy	4,716	3,505	69	224	0	25	19	74	70
Roxbury	161	72	58	33	2	15	5	40	9
Salem	2,076	1,604	39	19	0	3	3	110	110
Somerville	1,812	488	84	68	0	24	12	17	5
South Boston	373	180	5	2	0	7	6	3	3

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980
Non-Criminal Statistics

Location	Summary Process		Small Claims			Supplementary Process (Civil)		Supplementary Process (Small Claims)		U. R. E. S. A.	
	Entries	Dispositions	Entries	Dispositions	Appeals	Entries	Dispositions	Entries	Dispositions	Entries	Dispositions
Lawrence	931	797	2,645	376	6	627	222	621	584	99	35
Leominster	259	189	1,188	952	1	134	62	388	130	58	33
Lowell	1,628	1,471	7,116	5,428	10	1,320	262	3,650	2,192	236	35
Lynn	810	681	3,278	2,594	31	1,033	35	729	76	100	84
Malden	623	420	3,222	113	11	837	669	685	160	41	17
Marlborough	380	354	877	595	11	270	42	325	35	47	18
Milford	240	198	779	313	0	186	59	231	70	31	12
Nantucket	6	2	175	126	0	13	3	27	13	3	1
Natick	53	48	655	371	5	210	89	128	67	13	15
New Bedford	763	641	7,936	5,534	11	369	136	3,460	787	120	99
Newburyport	102	89	745	422	1	189	89	273	57	28	17
Newton	98	64	1,291	1,057	8	416	5	235	---	15	8
North Brookfield	53	22	707	472	2	138	87	420	219	34	21
Northampton	524	395	2,269	1,766	63	151	33	382	254	130	37
North Berkshire	62	59	1,302	1,191	7	152	137	324	298	42	39
Orange	41	31	741	623	0	77	41	496	341	88	19
Orleans	89	65	1,730	1,008	9	291	62	0	0	61	64
Palmer	28	19	973	763	4	98	25	194	87	58	12
Peabody	120	104	1,313	1,005	13	339	61	477	71	17	5
Pittsfield	191	168	1,526	1,019	7	213	73	465	324	78	56
Plymouth	328	178	2,315	1,839	13	628	273	657	266	59	18
Quincy	778	744	3,873	3,224	28	1,518	787	1,444	848	105	67
Roxbury	1,352	1,025	1,639	1,206	8	858	310	790	267	89	60
Salem	530	419	4,062	2,132	30	685	237	0	0	90	32
Somerville	662	240	2,757	1,681	5	621	114	760	128	59	18
South Boston	373	229	650	350	4	300	140	101	80	30	23

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980
Non-Criminal Statistics

Location	Civil Cases		Transfer Cases		Inquests	Violent Crime Victims		Mental Commitments	
	Entries	Dispositions	Received	Dispositions	Held	Claims	Dispositions	Petitions	Dispositions
Southern Berkshire	378	204	16	6	1	0	0	0	0
Springfield	3,240	2,364	183	165	0	9	11	0	0
Stoughton	1,207	708	23	38	0	3	2	21	20
Taunton	1,189	606	34	20	1	2	1	83	79
Uxbridge	262	159	14	11	0	1	0	0	0
Waltham	2,200	1,456	36	13	0	9	4	154	154
Ware	105	38	2	0	0	0	0	0	0
Wareham	552	342	6	6	0	3	2	29	29
Westborough	447	429	49	80	0	3	1	77	77
Westfield	406	258	60	82	0	0	0	2	2
West Roxbury	390	99	10	16	0	29	9	248	21
Winchendon	37	13	0	0	0	0	0	2	2
Woburn	2,188	2,245	90	89	0	8	2	31	31
Worcester	5,908	3,821	787	135	0	14	4	249	198
Wrentham	1,010	441	8	26	0	2	2	0	0
TOTAL	76,661	45,985	3,001	2,500	19	427	259	2,514	2,300

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year 1980
Non-Criminal Statistics

Location	Summary Process		Small Claims			Supplementary Process (Civil)		Supplementary Process (Small Claims)		U. R. E. S. A.	
	Entries	Dispositions	Entries	Dispositions	Appeals	Entries	Dispositions	Entries	Dispositions	Entries	Dispositions
Southern Berkshire	44	37	892	587	15	196	92	299	227	33	3
Springfield	72	43	5,728	4,474	32	664	84	1,542	315	209	166
Stoughton	107	88	1,031	764	4	419	439	---	---	19	12
Taunton	386	348	1,701	1,038	15	344	130	305	107	60	38
Uxbridge	54	40	636	428	0	100	60	151	44	48	39
Waltham	251	141	158	1,264	8	539	145	316	360	49	23
Ware	26	13	349	87	0	13	6	33	3	16	1
Wareham	219	180	2,239	1,628	10	307	322	875	527	79	55
Westborough	251	238	920	515	1	227	32	153	33	49	50
Westfield	77	68	1,093	298	0	76	15	283	10	71	70
West Roxbury	874	584	4,420	453	48	961	307	3,874	2,351	98	4
Winchendon	12	4	208	94	0	23	2	103	7	7	2
Woburn	264	219	3,090	724	38	859	8	316	12	64	21
Worcester	1,463	1,212	3,925	3,418	15	613	386	1,103	623	155	53
Wrentham	247	196	1,736	860	10	440	321	581	126	70	26
TOTAL	24,378	18,527	117,801	81,204	767	27,460	11,958	38,342	17,233	4,457	2,302

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year '80
Juvenile Statistics

Locations	Motor Vehicle Complaints	Total Delinquency Complaints	Juvenile Delinquency Motor Vehicle as a % of Total	Delinquency Complaints Disposed Of	Dispositions as a % of Complaints	Show Cause Hearings
Ayer	182	755	24	630	83	4
Barnstable	333	1,370	24	942	69	40
Brighton	42	286	15	194	68	359
Brockton	382	1,949	20	1,539	79	150
Brookline	43	110	39	43	39	100
Cambridge	189	691	27	843	122	22
Charlestown	93	267	35	193	72	189
Chelsea	187	603	31	539	89	254
Chicopee	173	598	29	238	40	156
Clinton	110	314	35	473	150	131
Concord	279	777	36	617	126	0
Dedham	159	415	38	239	67	96
Dorchester	501	1,652	30	891	54	342
Dudley	N/A	N/A	----	537	----	148
East Boston	105	332	32	282	85	264
Edgartown	21	92	23	60	65	12
Fitchburg	143	531	27	266	51	37
Framingham	318	1,004	32	118	12	79
Gardner	20	560	4	277	49	68
Gloucester	144	493	29	469	95	117
Greenfield	114	395	29	455	87	218
Haverhill	107	451	24	247	55	256
Hingham	206	1,169	18	1,011	86	126
Holyoke	137	639	21	531	83	119
Ipswich	24	84	29	59	70	0
Lawrence	335	1,197	28	529	44	0
Leominster	91	253	36	237	94	36
Lowell	284	1,470	19	1,595	109	350
Lynn	154	1,096	14	834	76	0
Malden	286	932	31	761	82	290
Marlborough	150	444	34	413	93	68
Milford	164	379	43	325	86	52
Nantucket	26	74	35	38	51	5
Natick	109	308	35	363	117	11

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year '80
Juvenile Statistics

Children in Need of Services (CHINS)				Care and Protection Petitions		
Applications	Petitions Issued	Dispositions	Appeals	Received	Dispositions	Appeals
39	24	43	0	16	20	1
119	17	57	1	46	4	0
0	0	3	0	0	2	0
164	75	129	0	132	82	2
10	7	11	0	5	2	0
72	2	66	1	33	33	3
0	0	0	0	0	0	0
0	0	0	0	0	8	2
122	73	5	0	104	4	0
44	2	33	0	12	1	4
6	0	7	0	5	3	0
65	6	29	0	19	12	0
0	0	21	0	0	22	0
39	41	73	0	9	8	6
8	0	7	0	0	4	0
7	4	3	0	2	2	0
69	15	30	0	3	1	2
46	21	9	0	28	6	0
64	47	62	1	19	12	1
29	26	23	1	11	5	0
48	40	56	0	27	8	1
28	26	15	0	37	15	8
32	3	21	7	10	12	3
106	48	22	0	19	5	0
5	5	0	0	1	1	0
0	106	53	1	60	16	3
61	3	14	0	0	4	0
207	152	161	0	95	73	0
189	32	28	0	52	14	1
97	55	30	2	10	16	5
72	61	52	0	24	20	0
55	27	3	0	5	0	1
2	2	1	0	0	0	0
1	0	6	1	1	1	0

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year '80
Juvenile Statistics

Locations	Motor Vehicle Complaints	Total Delinquency Complaints	Juvenile Delinquency Motor Vehicle as a % of Total	Delinquency Complaints Disposed Of	Dispositions as a % of Complaints	Show Cause Hearings
Newburyport	79	253	31	238	94	11
Newton	65	238	27	286	120	----
North Brookfield	127	518	25	487	94	127
Northampton	206	892	23	658	135	10
Northern Berkshire	106	360	29	297	83	49
Orange	77	345	22	196	57	124
Orleans	100	588	17	439	75	78
Palmer	186	540	34	292	54	79
Peabody	160	534	29	396	74	31
Pittsfield	178	719	25	499	69	5
Plymouth	272	1,086	25	1,185	109	150
Quincy	413	1,283	32	1,012	79	602
Roxbury	111	585	19	274	47	642
Salem	189	752	25	491	65	63
Somerville	162	542	30	379	70	116
South Boston	78	196	40	253	129	49
Southern Berkshire	58	212	27	144	68	4
Stoughton	253	618	41	580	94	675
Waltham	129	683	19	577	84	116
Ware	27	65	42	75	115	39
Wareham	192	1,031	19	752	73	56
Westborough	178	621	29	205	33	23
Westfield	85	280	30	214	76	3
West Roxbury	189	880	21	N/A	----	487
Winchendon	33	140	24	58	41	4
Woburn	263	907	29	892	98	194
Wrentham	265	779	34	696	89	27
TOTALS	9,792	37,337	26%	28,363	76%	7,863

DISTRICT COURT DEPARTMENT
Report on Court Statistics for Fiscal Year '80
Juvenile Statistics

Children in Need of Services (CHINS)				Care and Protection Petitions		
Applications	Petitions Issued	Dispositions	Appeals	Received	Dispositions	Appeals
24	5	13	0	6	2	0
18	2	7	0	8	3	0
49	42	37	0	4	5	1
83	81	69	0	59	56	0
31	13	28	0	8	4	0
57	38	18	0	17	8	0
22	10	8	1	10	6	0
32	15	20	0	8	2	1
40	27	11	0	9	0	0
42	42	30	0	31	12	0
54	33	61	1	23	21	0
168	100	77	1	81	57	1
0	0	0	0	0	0	0
28	28	18	0	24	16	0
90	40	57	0	22	6	0
0	0	0	0	0	3	2
15	8	16	0	5	3	0
76	39	46	2	13	4	0
35	20	53	0	30	8	3
9	6	0	0	3	0	0
29	20	25	1	11	11	0
56	49	35	0	7	2	0
18	8	14	0	19	0	1
0	0	0	0	0	0	0
13	1	12	0	1	0	0
48	32	52	0	33	17	1
75	7	59	0	20	9	0
3,218	1,586	1,839	21	1,237	671	54

THE HOUSING COURT DEPARTMENT

During Fiscal Year 1980, 14,917 total complaints were entered in the Housing Court Department. This twelve month total, up 3 percent from Fiscal Year 1979 and 18 percent from Fiscal Year 1976, is the fourth consecutive annual increase in the Department's caseload.

The composition of this total caseload breaks down roughly into thirds. One third is composed of Summary Process cases, the largest category. Currently, 38 percent of the total, the Summary Process caseload has been the most rapidly and consistently expanding segment of Housing Court Department business over the past five years.

Another third or 35 percent of the caseload is composed of criminal case entries. Historically, the largest proportion of the Boston Division's caseload, criminal entires are also a growing percentage of the Hampden Division workload, up 21 percent over Fiscal Year 1979.

The final third of the Department's caseload, 27 percent, is composed of civil cases, 14 percent, and Small Claims cases, 13 percent.

The trend toward an increase in entries has been evident in both the Boston and Hampden divisions in recent years. While the increases for this fiscal year in relation to Fiscal Year 1979 are small, 2 percent and 6 percent, respecitvely, the Hampden Division Caseload has increased by more than 5 percent or 1,826 cases from five years ago. The comparable figure for this change in the Boston Division is a 4 percent or 403 case increase.

A second area where the two divisions differ is the composition of the respective caseloads.

For the Boston Division with 64 percent of th Department's caseload, the largest proportion of cas entered is in the criminal category (42%). For th Hampden Division, the largest category, 45 percen is Summary Process, and the third largest category entries is criminal (23 percent).

The second largest casetype in Hampden, a divisio with county-wide jurisdiction, is Small Claims, category which has more than doubled in that ju isdiction in five years. Small Claims entered in th Boston Division, on the other hand, have followe an opposite trend, declining 59 percent from 1,20 in FY'76 to 494 in FY'80.

One area in which the two divisions have direct paralleled each other is in the decline in civil case en ries in Fiscal Years '76, '77 and '78 and in the abru reversal of that trend beginning in Fiscal Year 197 Much of the cause for this reversal in FY'79 ste from the confirmation of the Housing Court Depar ment's jurisdiction in residence-related civil matte by the Supreme Judicial Court in that year.

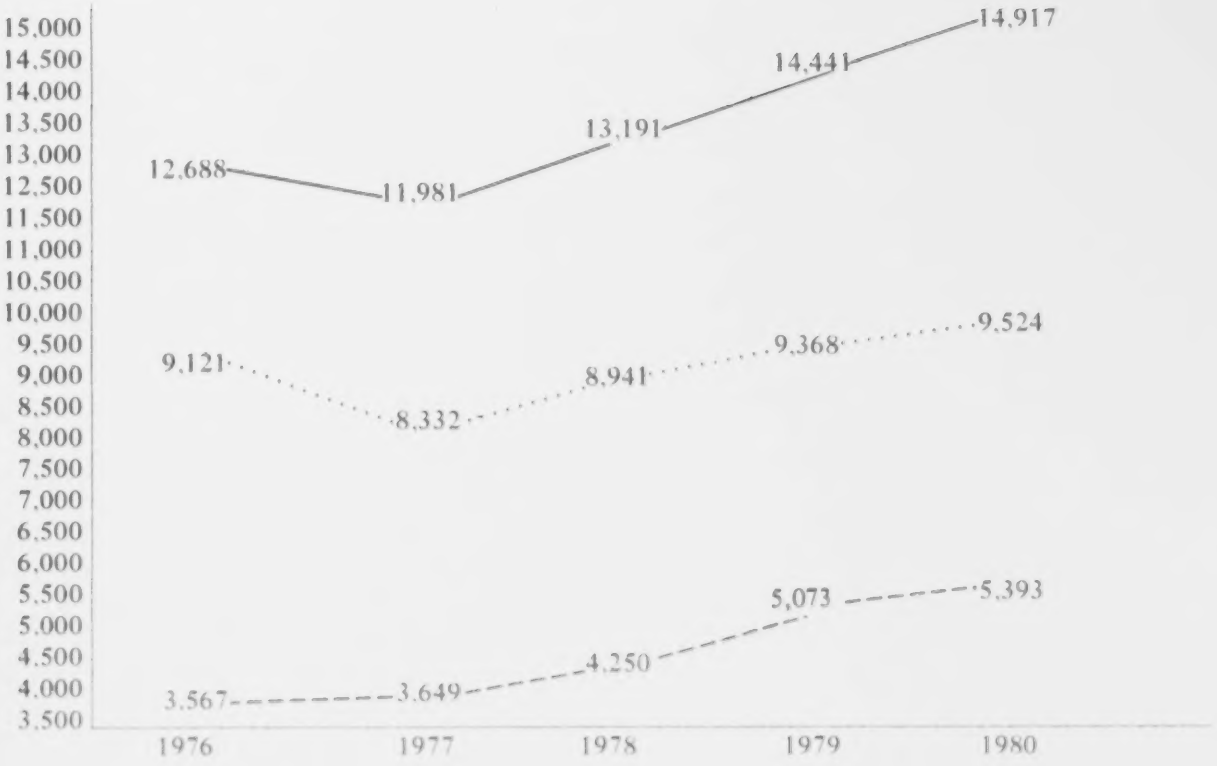
HOUSING COURT DEPARTMENT

Comparison of New Entries by Fiscal Year

Housing Court Department	1976	1977	1978	1979	1980	FY'76-'80 No.	FY'76-'80 %	FY'79-'80 No.	FY'79-'80 %
Criminal Cases	5,198	4,742	5,141	5,652	5,258	+60	+1%	-394	-7%
Summary Process Cases	3,802	4,199	5,148	5,224	5,629	+1827	+48%	+405	+8%
Small Claims	2,004	1,545	1,466	1,920	1,979	-25	-1%	+59	+3%
Civil Cases	1,684	1,495	1,426	1,545	2,051	+367	+22%	+406	+25%
TOTAL New Entries	12,688	11,981	12,191	14,441	14,917	+2229	+18%	+476	+3%
Boston Division Housing Court Department									
Criminal Cases	4,304	3,792	4,221	4,634	4,030	-294	-6%	-604	-13%
Summary Process Cases	2,193	2,435	2,901	2,678	3,201	+1008	+46%	+523	+16%
Small Claims	1,203	857	621	635	494	-709	-59%	-141	-22%
Civil Cases	1,421	1,248	1,198	1,421	1,799	+378	+27%	+378	+27%
TOTAL New Entries	9,121	8332	8,941	9,368	9,524	+403	+4%	+156	+2%
Hampden Division Housing Court Department									
Criminal Cases	894	950	920	1,018	1,228	+334	+37%	+210	+21%
Summary Process Cases	1,609	1,764	2,247	2,546	2,428	+819	+51%	-118	-5%
Small Claims	801	688	845	1,285	1,485	+684	+85%	+200	+16%
Civil Cases	263	247	238	224	252	-11	-4%	+28	+12%
TOTAL New Entries	2,567	3,649	4,250	5,073	5,393	+1826	+51%	+320	+6%

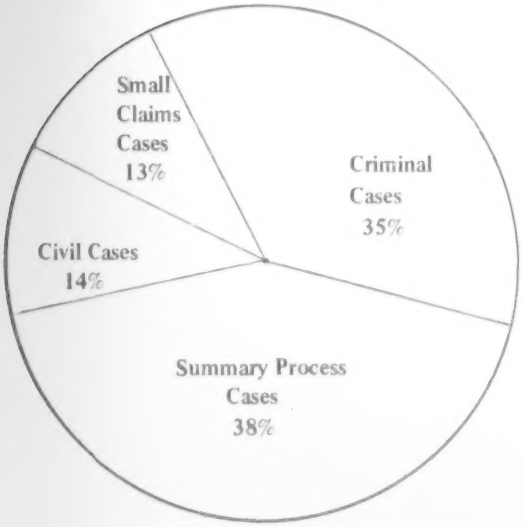
HOUSING COURT DEPARTMENT

Five Year Trend in Case Filings

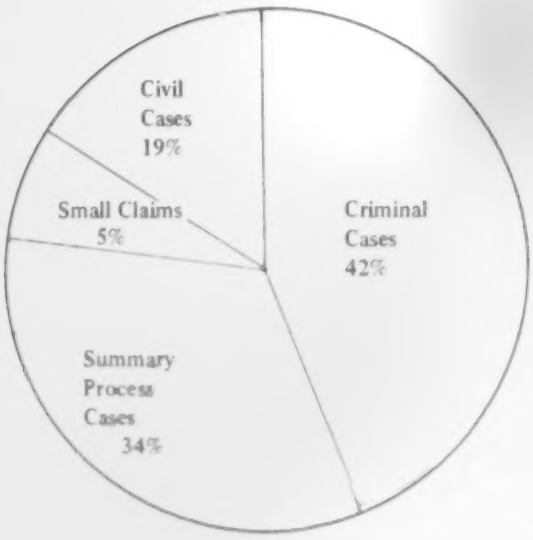


HOUSING COURT DEPARTMENT
Fiscal Year 1980 - Filings

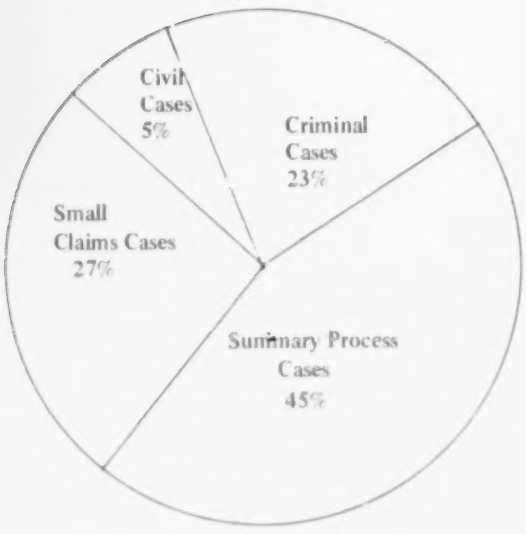
Housing Court Departme::t



Boston Division



Hampden Division



THE JUVENILE COURT DEPARTMENT

Judicial determinations are used as a general indicator of the level of court activity in the Juvenile Court Department. The figure includes a count of all actions brought to the court for determination in all cases whether a new action or a case previously opened and currently under supervision. Due to the nature of the Juvenile Court Department's jurisdiction, some cases are kept open and under court supervision to insure that the objectives of the court's decisions are being attained. For this reason, one case may require a significant amount of Department activity and a simple count of entries does not reflect completely the workload of the Department.

For Fiscal Year 1980, 74,523 judicial determinations were recorded in the Juvenile Court Department. This level is a 9 percent increase over FY'79 and the continuation of a trend which has averaged a 14 percent annual increase since FY'76.

Of the four divisions of the Juvenile Court Department, two, Boston and Bristol, reported increases in judicial determinations of 27 percent and 7 percent, respectively, in FY'80. Both the Springfield and Worcester Divisions reported minor decreases, 7 and 2 percent, respectively, for FY'80.

Total complaints entered in the Juvenile Court Department were down 11 percent overall from 14,019 in FY'79 to 12,482 in FY'80. Decreased entrie were reported in two of five casetypes included i the Department's jurisdiction.

Juvenile delinquency complaints, 81 percent of th total complaints entered in FY'80, were down 1 percent. The overall mix of complaints, 86 pe cent filed against males and 14 percent filed agains females, has remained consistent for the past thre years. All four divisions reported a decrease in thi case category.

A second casetype, Children in Need of Service (CHINS) includes complaints filed against juve iles alleged to be truants, runaways or incorrig bles.

Complaints in this category, split 50 percent mal and 50 percent female, were up 2 percent overa to a level of 1,869. Both Boston and Worceste Divisions reported decreases in this category, whil the Bristol and Springfield Divisions recorded i creases.

Complaints against adults charged with contributin the the delinquency of a minor also decreased i FY'80. The FY'80 total, 29, is down 7 entrie from FY'79. No complaints were reported in eithe the Springfield or Worcester Divisions for FY'8 and the Boston Division remained unchanged fro

the FY'79 level. Entries in the Bristol Division for this casetype decreased from 16 to 9 in FY'80.

Care and Protection case entries were up in all Divisions except Boston in FY'80. This meant a 3 percent increase in total complaints filed and 17 percent increase in the children represented in these complaints. The ratio of children represented to complaints filed increased slightly from 2 to 1 in FY'79 to 2.2 to 1 in FY'80.

Finally, juveniles adjudged to be adults and bound over or transferred to the jurisdiction of the Superior Court Department, all males in FY'80, increased by 13 from FY'79. There were declines in bindovers in both the Boston and Bristol Divisions, and an increase of 2 bindovers in the Worcester Division. These fluctuations were minor relative to the increase from 3 in FY'79 to 26 in FY'80 in the Springfield Division.

Additional information on the Juvenile Court Department and its caseload may be obtained by contacting the Administrative Office for that Department.

JUVENILE COURT DEPARTMENT

Complaints	Fiscal Year 1980 Male	Female	Total	FY'79 Total	Change No.	%
Juvenile (criminal)	37	0	37	24	13	54
Juvenile (delinquent)	8,526	1,429	9,955	11,550	-1595	-14
CHINS	942	927	1,869	1,837	+32	+2
TOTAL	9,505	2,356	11,861	13,411	-1,550	-12
Adults	16	13	29	36	-7	-19
Care and Protection						
Complaints			592	572	20	3
Children Represented			1,305	1,116	189	17
Judicial Determinations			74,523	68,080	6,443	9

APPELLATE DIVISIONS

JUVENILE COURT DEPARTMENT

Complaint Types	FY'79	FY'80	Change No.	%
Juvenile Delinquent	318	332	14	4
Care and Protection	88	104	16	18
CHINS	1	1	----	----
TOTAL	407	437	30	7

JUVENILE COURT DEPARTMENT

Boston Division

Complaints	Fiscal Year 1980 Male	Female	Total	FY'79 Total	Change No.	%
Juvenile (criminal)	5	0	5	15	-10	-67
Juvenile (delinquent)	1,112	381	1,493	1,733	-240	-14
CHINS	362	352	714	759	-45	-6
TOTAL	1,479	733	2,212	2,507	-295	-12
Adults	8	12	20	20	0	0
Care and Protection						
Complaints	---	---	264	309	-45	-15
Children Represented	237	236	737	619	118	19
Judicial Determinations			23,838	18,766	5,072	27

Bristol Division

Complaints	Fiscal Year 1980 Male	Female	Total	FY'79 Total	Change No.	%
Juvenile (criminal)	2	0	2	4	-2	-50
Juvenile (delinquent)	4,787	455	5,242	5,942	-700	-12
CHINS	324	238	562	455	107	24
TOTAL	5,113	693	5,806	6,401	-595	-9
Adults	8	1	9	16	-7	-44
Care and Protection						
Complaints	---	---	138	112	26	23
Children Represented	131	110	241	227	14	6
Judicial Determinations			34,684	32,495	2,189	7

JUVENILE COURT DEPARTMENT

Springfield Division

Complaints	Fiscal Year 1980 Male	Female	Total	FY'79 Total	Change No.	%
Juvenile (criminal)	26	0	26	3	23	766
Juvenile (delinquent)	1,792	340	2,132	2,529	-397	-16
CHINS	136	160	296	273	23	8
TOTAL	1,954	500	1,454	2,805	-351	-13
Adults	0	0	0	0	0	0
Care and Protection						
Complaints			122	100	22	22
Children Represented			180	156	24	15
Judicial Determinations			9,572	10,280	-708	-7

Worcester Division

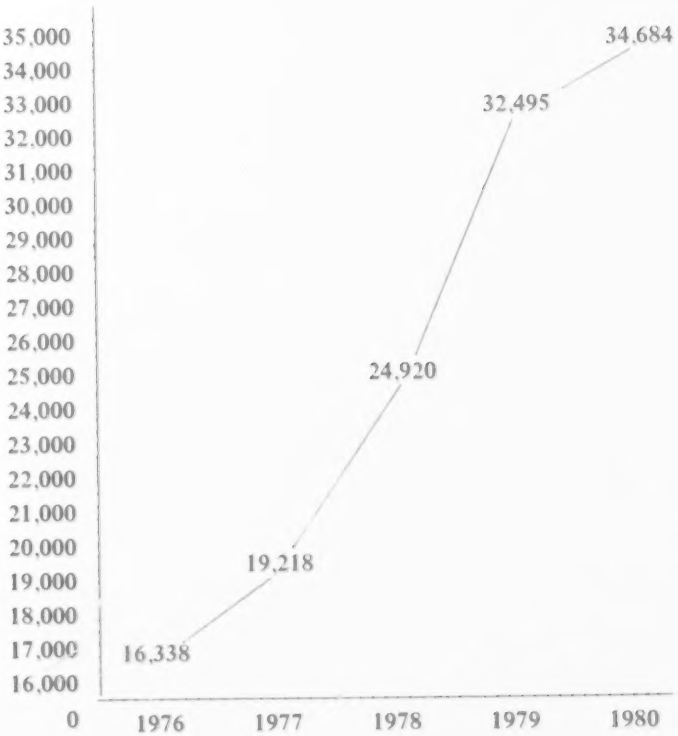
Complaints	Fiscal Year 1980 Male	Female	Total	Total	Change No.	%
Juvenile(criminal)	4	0	4	2	2	100
Juvenile(delinquent)	835	253	1,088	1,346	-258	-19
CHINS	120	177	297	350	-275	-79
TOTAL	959	430	1,389	1,698	-309	-22
Adults	0	0	0	0	0	0
Care and Protection						
Complaints			68	51	17	33
Children Represented			147	114	33	29
Judicial Determinations			6,429	6,539	-110	-2

JUVENILE COURT DEPARTMENT

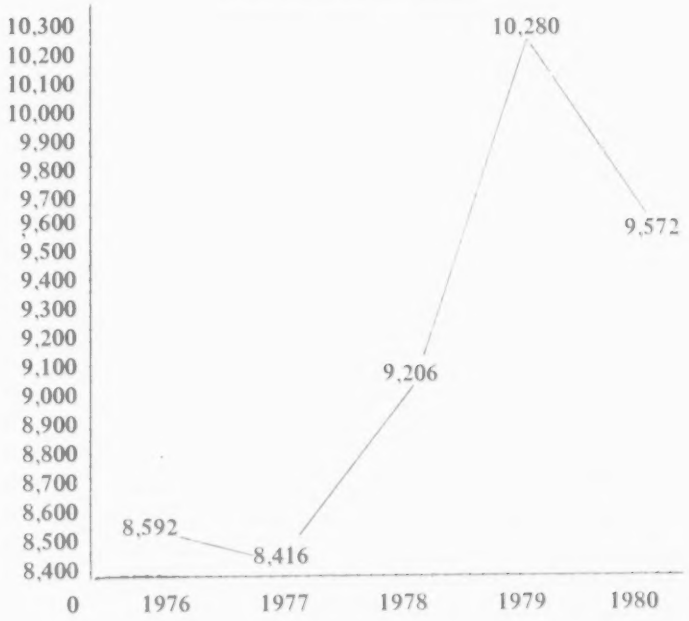
Five Year Trend in Judicial Determinations

BOSTON DIVISION

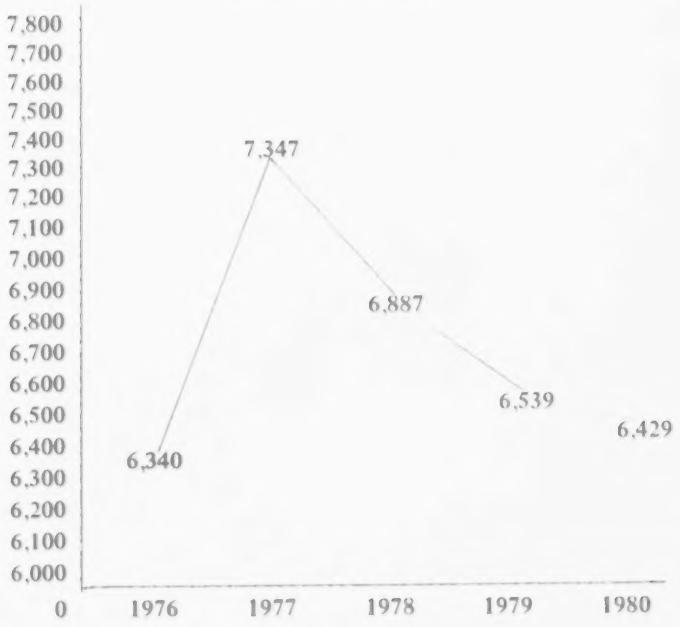
BRISTOL DIVISION



SPRINGFIELD DIVISION



WORCESTER DIVISION



THE LAND COURT DEPARTMENT

Caseflow figures for Fiscal Year 1980 for the Land Court Department indicate a slight break from the trend toward a steady increase in both entries and dispositions apparent in the department in recent years. These figures also indicate a change in the overall composition of the department caseload.

The Land Court Department began Fiscal Year 1980 with 14,533 cases pending and closed out the year with 16,156 cases pending, an 11 percent increase.

While total entries decreased 2 percent from Fiscal Year 1979 levels, entries in Fiscal Year 1980 remained at a level 1,158 cases or 15 percent above Fiscal Year 1976 levels. With entries in other Land Court Department casetypes down from Fiscal Year 1979, Tax Lien cases, having more than doubled in five years, increased 24 percent over last year. In Fiscal Year 1976, tax lien cases comprised 17 percent of all cases entered. In Fiscal Year 1980, that proportion increased to 30 percent.

Dispositions also, after consistently increasing over the past four fiscal years, were down 8 percent overall from Fiscal Year 1979 levels. This rate of disposition, 7,234 in Fiscal Year 1980, is 31 percent above the disposition rate of four years ago.

Large increases in dispositions occurred in the Land Registration/Confirmation and Tax Lien categories. Dispositions of Tax Lien cases, which in Fiscal Year 1976 comprised 18 percent of the total, increased to 25 percent of Fiscal Year 1980 dispositions.

Overall, the 7,234 cases disposed of by the Land Court Department in Fiscal Year 1980 equalled 82 percent of the total cases entered. While disposition in the Department kept pace with actions taken subsequent to land registrations and more than equalled entries in the category of Land Registration/Confirmation, the level of dispositions for Tax Lien and Equity/Miscellaneous cases fell significantly below the level of entries in these two case categories.

In general, plans prepared by the Engineering Division of the Land Court Department were down from Fiscal Year 1979. While the production of Decree Plans has increased steadily over the past three years, the production of Subdivision Plans declined in Fiscal Year 1980 . After a high of 734 in Fiscal Year 1979, the number of Subdivision Plans produced has returned to pre- FY '79 levels.

Additional information may be obtained by contacting the Land Court Department Administrative Office.

LAND COURT DEPARTMENT

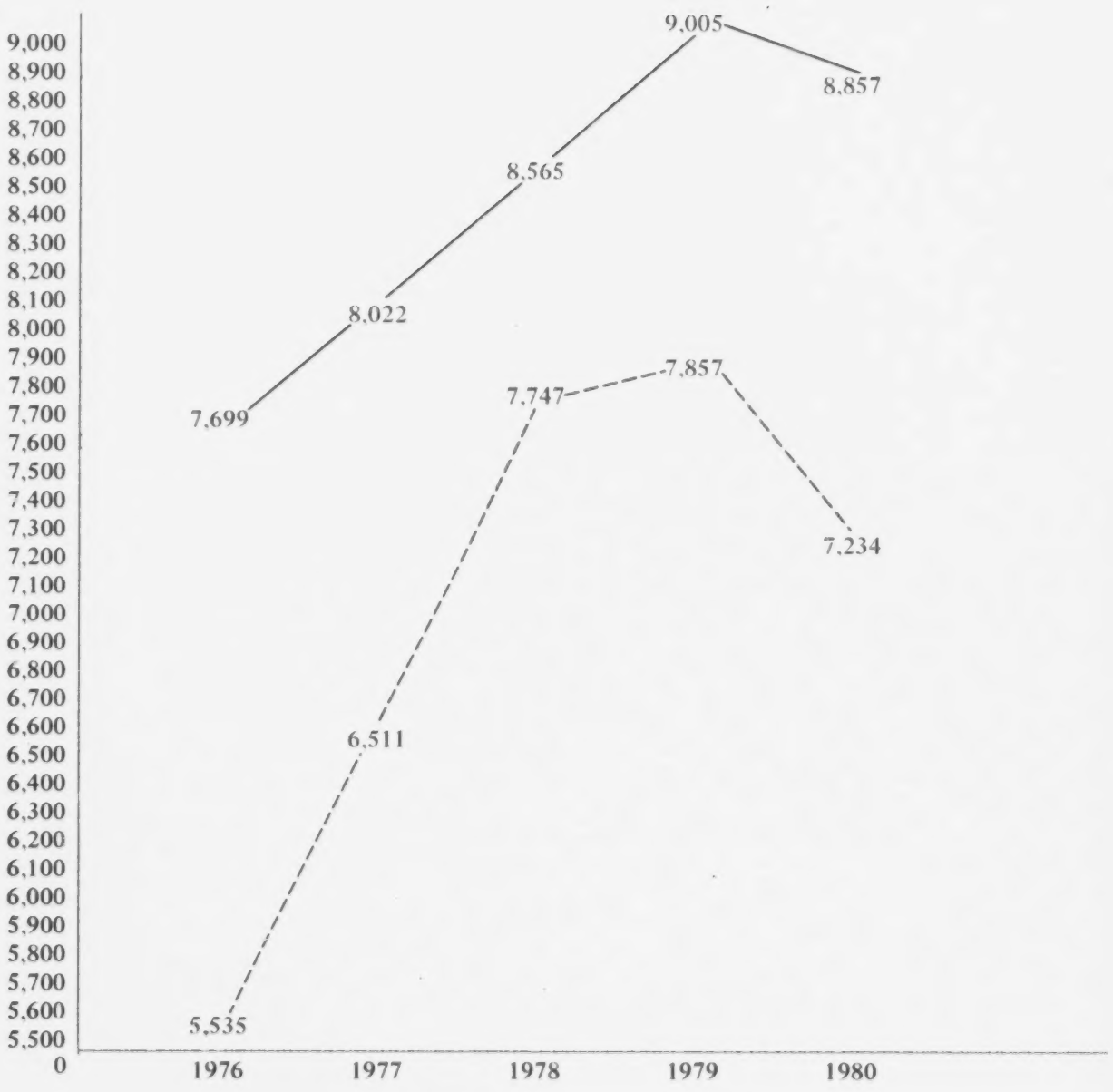
Entries	1976	1977	1978	1979	1980	Change FY'76-80 No.	Change FY'76-80 %	Change FY'79-80 No.	Change FY'79-80 %
Land Registrations and Confirmations	390	338	287	343	301	-89	-23%	-42	-12%
Land Registrations and Subsequent	1,681	1,633	1,838	1,993	1,810	+229	+14%	-183	-9%
Tax Liens	1,292	1,307	1,551	2,125	2,630	+1338	+104%	+505	+24%
Equity and Miscellaneous	4,436	4,744	4,889	4,544	4,116	-320	-7%	-428	-9%
TOTAL	7,699	8,022	8,565	9,005	8,857	+1158	+15%	-148	-2%

Dispositions	1976	1977	1978	1979	1980	Change FY'76-80 No.	Change FY'76-80 %	Change FY'79-80 No.	Change FY'79-80 %
Land Registrations and Confirmations	358	659	337	304	541	+183	+51%	+237	+78%
Land Registrations and Subsequent	1,560	1,670	1,858	2,008	1,785	+225	+14%	-223	-11%
Tax Liens	1,015	1,025	1,090	1,139	1,789	+774	+76%	+650	+57%
Equity and Miscellaneous	2,602	3,157	4,462	4,406	3,119	+517	+20%	-1287	-29%
TOTAL	5,535	6,511	7,747	7,857	7,234	+1699	+31%	-623	-8%

End Pending	1976	1977	1978	1979	1980	Change FY'76-80 No.	Change FY'76-80 %	Change FY'79-80 No.	Change FY'79-80 %
Land Registrations and Confirmations	1,862	1,541	1,491	1,530	1,290	-572	-31%	-240	-16%
Land Registrations and Subsequent	109	72	52	37	62	-47	-43%	+25	+68%
Tax Liens	3,056	3,338	3,799	4,785	5,626	+2570	+84%	+841	+18%
Equity and Miscellaneous	6,029	7,616	8,043	8,181	9,178	+3149	+52%	+997	+12%
TOTAL	11,056	12,567	13,385	14,533	16,156	+5100	+46%	+1623	+11%

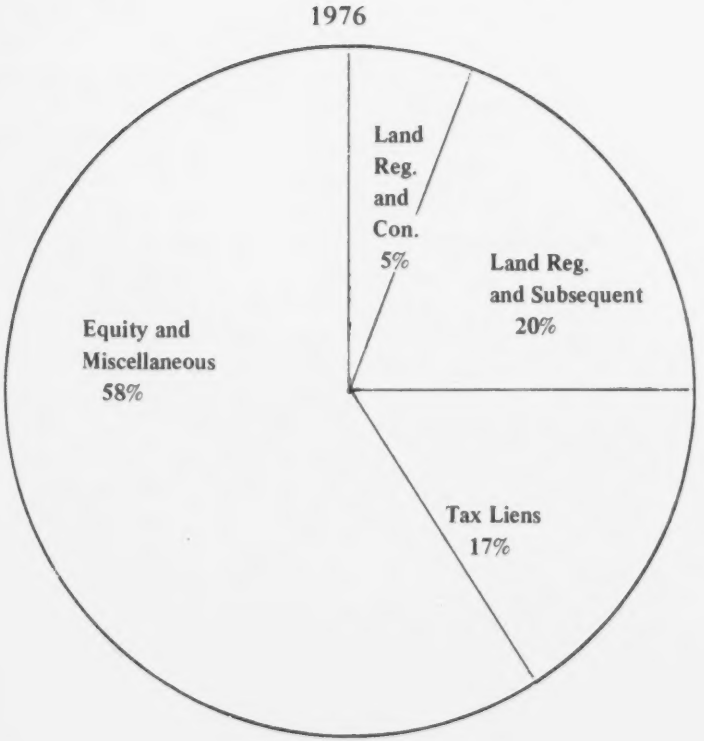
LAND COURT DEPARTMENT

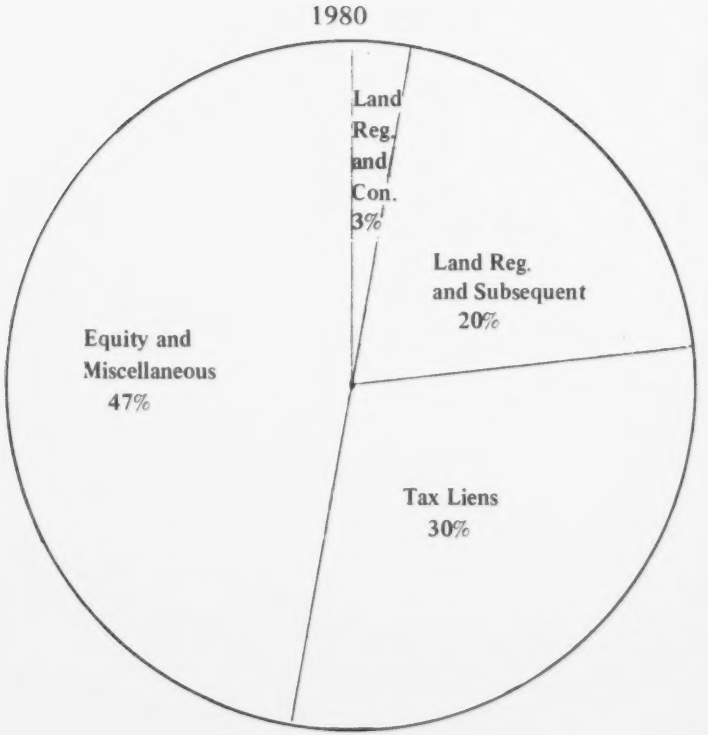
Five Year Analysis - Caseflows



LAND COURT DEPARTMENT

Entries





LAND COURT DEPARTMENT

Report on Court Statistics for the Period July 1, 1979 through June 30, 1980

	Cases Pending on July 1, 1979	Cases Entered During FY'80	Total Yearly Caseload	Cases Disposed of During FY'80	Cases Pending on June 30, 1980	Change in Pending Caseload		Ratio of Disposition to Cases Entered
Land Registrations and Confirmations	1,530	278	1,831	508	1,290	-240	16%	180%
Land Registrations Subsequent	37	1,810	1,847	1,785	62	+25	68%	99%
Tax Liens	4,785	2,630	7,415	1,789	5,626	+841	18%	68%
Equity and Miscellaneous	8,181	4,116	12,297	3,119	9,178	+997	12%	76%
TOTAL	14,533	8,857	23,390	7,234	16,156	1,623	11%	82%

	FY'79	FY'80	Change No.	Change %
Decree Plans Made	277	286	+9	3%
Subdivision Plans Made	734	587	-147	-20%
TOTAL Plans Made	1,011	873	-138	-14%

THE PROBATE AND FAMILY COURT DEPARTMENT

In Fiscal Year 1980, there were 116,027 original entries recorded in the Probate and Family Court Department. This figure represents an increase of 8 percent from the FY '76 level and an increase of 10 percent over the FY '79 case entry volume.

During the past five years, there have been considerable year to year fluctuations both in total entries and in the entries of specific casetypes. Only seven categories of cases have exhibited any clear tendency to either increase or decrease in case entry volume during this time. The numbers of entries filed for the remaining case types have fluctuated within a relatively limited range indicating a somewhat steady rate of filings for most types of cases entered during the five year period.

Almost half of these total original entries is composed of seven casetypes included under the general category of Probate. Total entries in this category, although down from the FY '76 level, increased by 5 percent over FY '79. This increase can be directly attributed to large increases in the Guardianships and Accounts/Distributions filed. These two casetypes, up 10 and 17 percent, respectively, from a year ago were the only increases reported in the general Probate category.

The second single largest category of entries reported in the Department is Divorces. Divorces comprise 22 percent of the Department's total FY '80 entries, and they have, with the exception of FY '79, risen slowly but steadily over the past five years.

The remaining six specific casetype categories comprise roughly 7 percent of the total original entries. Entries in two of these categories, Custody of Minors and Chapter 209A or Abuse Prevention Petitions were up 6 percent and 32 percent, respectively, from FY '79. Abuse Prevention Petitions were added to the Departments jurisdiction in FY '79 and are expected to be an increasing segment of the total caseload in the next few years. Separate Support and Maintenance complaints, on the other hand, have decreased by 40 percent in five years. Along with Administrations, Partitions and Trusteeships, Separate Support entries have clearly exhibited a downward trend in recent years.

Finally, all remaining requests for determinations by the Probate and Family Court Department which do not fit into any of the above specific casetype categories are included under a general heading of "Miscellaneous". Entries reported under this heading' have become an increasingly larger proportion of the total entries. In FY '76, 13,887 Miscellaneous filings accounted for 13 percent of the total. In Fiscal Year 1980, 24,909 Miscellaneous filings, up 79 percent from FY '76, accounted for 22 percent of the total.

A second general indicator of the business of the Probate and Family Court Department is provided by an analysis of the monthly trial list breakdown of matters heard by the court. In Fiscal Year 1980, a grand total of 153,080 matters were heard by the Department. This figure, up 14 percent from FY'79, is composed of 39,120 (26%) contested matters and 113,120 (74%) uncontested matters.

While the number of contested and uncontested matters heard by the court increased by roughly the same number from FY '79 levels, the relative increase in contested matters, 31 percent, was much larger.

Ten of fourteen divisions of the Probate and Family Court Department increased the number of matters heard by the court. The largest increases were reported in the Middlesex (41%) and Hampden Divisions (37%). Minor decreases were reported in Worcester (6%), Bristol (3%), Franklin (3%) and Norfolk (.01%) Divisions.

A third element of the business of the Probate and Family Court Department is the collection of fees and support payments.

Fees collected for actions originated in the Department decreased by 2 percent from the FY '79 level of $2,524,906.03 to $2,486,578.18 in FY'80. A slight increase in Probate fees collected (.8%) was offset by decreases of .1 percent and 9 percent in divorce related and certificate and copy fees, respectively.

Support payments collected by the Family Service Officers of the Probate and Family Court Department in FY '80 totalled $20,145,899. This is up 45 percent from FY '79 collections. Of this total, $14,417,850 was collected for private litigants and 28 percent or $5,728,049 was collected for the Department of Public Welfare.

Additional information is available in the charts and graphs which follow and from the Administrative Office of the Probate and Family Court Department.

PROBATE AND FAMILY COURT DEPARTMENT
Five Year Trend in Entries

	FY'76	FY'77	FY'78	FY'79	FY'80	Change FY'76 to FY'80 NO.	Change FY'76 to FY'80 %	Change FY'79 to FY'80 NO.	Change FY'79 to FY'80 %
Original Entries: All Petitions, Accounts and Complaints Filed	107,853	101,967	107,623	105,820	116,027	+8174	+8%	+10,207	+10%
Probate (Filed)									
Administration	11,879	10,745	10,711	10,592	10,309	-1570	-13%	-283	-3%
Wills	14,158	14,349	13,550	14,024	13,119	-1039	-7%	-905	-6%
Trustreeships	1,078	1,073	960	951	916	-162	-15%	-35	-4%
Guardianships	2,435	2,653	2,707	2,618	2,892	+457	+19%	+274	+10%
Accounts and Distributions	26,590	23,120	22,062	22,062	25,751	-839	-3%	+3689	+17
Partitions	310	302	243	259	226	-84	-27%	-33	-13%
Real Estate Sales	3,938	3,302	3,303	3,456	3,313	-625	-16%	-143	-4%
Equitable Relief Complaints Filed	1,459	1,257	1,354	1,363	1,207	-252	-17%	-156	-11%
Separate Support and Maintenance Complaints Filed	4,966	4,404	4,238	3,458	2,997	-1969	-40%	-461	-13%
Desertions and Living Apart Complaints Filed	71	65	81	90	82	+11	+15%	-8	-9%
Custody of Minors Complaints Filed	303	268	282	304	323	+20	+7%	+19	+6%
Divorce - Original Entries	23,483	24,418	25,465	25,144	25,601	+2118	+9%	+457	+2%
Adoptions	3,296	2,918	2,557	2,852	2,774	-522	-16%	-78	-3%
Chapter 209A Petitions (Abuse Prevention)	N/A	N/A	N/A	1,215	1,608	N/A		+393	+32%
All Other	13,887	13,093	20,110	17,432	24,909	+11,022	+79%	+7,477	+43%

PROBATE AND FAMILY COURT DEPARTMENT

Fiscal Year 1980

	Barnstable	*Berkshire*	*Bristol*	*Dukes*	*Essex*	*Franklin*	*Hampden*
1. Original Entries: All complaints, petitions and accounts filed FY'80	4,062	5,651	7,923	410	11,247	1,746	8,155
FY'79	4,257	2,588	8,692	350	10,890	1,815	7,547
FY'79 to FY'80 - Number	405	3,063	-769	60	357	-69	608
Change - Percentage	10	118	-9	17	3	-4	8
Probate Decrees:							
Administrations filed	195	406	1,039	24	880	167	858
Administrations allowed	173	198	446	24	702	158	454
Wills filed	707	333	1,188	124	1,766	216	945
Wills allowed	658	345	804	75	1,418	191	801
Trusteeships filed	61	26	30	5	129	6	46
Trusteeships allowed	43	30	42	5	118	7	42
Guardianships (minor) filed	47	28	115	3	139	24	224
Guardianships (minor) allowed	52	22	118	3	154	19	203
Guardianships (men. ill) filed	27	15	106	1	124	12	119
Guardianships (men. ill) allowed	38	11	104	0	120	15	95
Accounts & Distributions filed	954	936	1,365	91	2,896	442	2,052
Accounts & Distributions allowed	759	1,005	929	73	2,749	447	1,874
Partitions filed	17	4	21	6	32	4	17
Partitions allowed	14	2	13	9	19	7	5
Real estate sales filed	172	62	325	13	392	47	183
Real estate sales allowed	150	54	348	12	406	39	173
3. Equitable Relief:							
Complaints filed	60	29	104	2	174	23	57
Preliminary injunctions issued	12	1	34	0	16	10	19
Temp. restraining orders issued	16	9	32	0	86	12	19
Default judgments	0	0	2	0	0	0	11
Final judgments after hearing	19	8	15	10	75	11	36

PROBATE AND FAMILY COURT DEPARTMENT

Fiscal Year 1980

Hampshire	*Middlesex*	*Nantucket*	*Norfolk*	*Plymouth*	*Suffolk*	*Worcester*	*FY'80 Totals*	*FY'79 Totals*	*Change*	
									No.	*Percent*
2,236	22,580	204	13,064	7,326	11,317	19,506	116,027	105,820	10,207	10
2,177	22,660	235	13,090	6,789	10,903	13,827	105,820			
59	-80	-31	-26	537	414	5,679	10,207			
3	-.4	-13	-.2	8	4	41	10			
269	1,320	22	1,350	782	1,464	1,533	10,309			
227	1,241	21	1,511	775	957	1,610	8,417	9,406	-989	-12
338	2,790	45	1,806	634	826	1,401	13,119	14,024	-905	-6
217	2,726	36	1,448	666	952	1,217	11,554	11,832	-278	-2
14	230	3	162	55	86	63	916	951	-35	-4
10	208	3	165	47	98	56	874	1,005	-131	-13
19	186	2	182	152	213	142	1,476	1,259	217	17
11	349	2	151	111	241	162	1,598	1,294	304	23
81	224	0	215	176	168	148	1,416	1,359	57	4
29	233	0	133	93	184	127	1,182	1,167	15	1
563	7,175	54	3,519	1,086	2,683	1,935	25,751	22,062	3,689	17
413	5,140	60	2,736	1,082	3,004	1,326	21,579	22,266	-687	-3
7	35	2	28	25	8	20	226	259	-33	-13
4	18	0	4	23	6	---	124	144	-20	-14
75	837	6	351	211	296	343	3,313	3,456	-143	-4
61	763	6	344	261	317	394	3,328	3,568	-240	-7
29	258	2	182	120	94	73	1,207	1,363	-156	-11
4	110	0	27	50	27	12	322	215	107	50
11	106	0	94	84	395	41	905	381	524	138
---	24	0	1	7	3	---	48	33	15	45
79	102	1	196	83	91	46	772	677	95	14

PROBATE AND FAMILY COURT DEPARTMENT

Fiscal Year 1980

	Barnstable	*Berkshire*	*Bristol*	*Dukes*	*Essex*	*Franklin*	*Hampden*
4. Separate Support & Maintenance:							
Complaints filed	249	22	409	5	532	13	80
Temp. orders of support allowed	87	6	294	3	452	3	2
Modifications allowed	30	0	0	0	4	0	18
Contempt petitions filed	72	0	47	3	82	0	---
Sep. Sup. complaints allowed	103	3	83	0	13	3	37
Sep. Sup. complaints dismissed	52	1	186	2	237	7	6
5. Desertions & living apart filed	0	0	66	0	0	0	0
Desertions & living apart allowed	0	0	1	0	0	0	0
6. Custody of Minors:							
Petitions filed	67	9	29	0	122	0	4
Petitions allowed	42	4	9	1	8	0	3
7. Divorce:							
Original entries - include 1A & 1B	706	794	2,187	91	2,899	388	1,881
Decrees nisi - include 1A & 1B	749	633	1,888	42	2,011	254	1,683
Complaints dismissed	87	28	202	4	150	42	34
Temp. orders of support allowed	854	103	1,130	6	821	192	3,640
Modifications allowed	390	109	251	14	98	111	507
Irr. breakdown 208 sec. 1A filed	180	99	454	17	1,372	45	235
Irr. breakdown 208 sec. 1A allowed	119	82	282	18	912	45	----
Irr. breakdown 208 sec. 1B filed	20	30	653	5	76	2	309
Irr. breakdown 208 sec. 1B allowed	8	9	285	0	176	2	----
Contempt petitions filed	412	64	703	32	678	89	731
Dismissals under Rule 48	130	67	138	2	331	37	240
8. Adoptions	74	76	180	3	240	43	165
9. Chapter 209A petitions filed	66	8	9	0	18	14	262
Chapter 209A petitions allowed	65	8	4	0	15	13	569
10. All other							

PROBATE AND FAMILY COURT DEPARTMENT

Fiscal Year 1980

Hampshire	*Middlesex*	*Nantucket*	*Norfolk*	*Plymouth*	*Suffolk*	*Worcester*	*FY'80 Totals*	*FY'79 Totals*	*Change*	
									No.	*Percent*
9	565	1	366	403	205	138	2,997	3,458	-461	-13
3	636	1	266	2,001	146	34	3,934	4,831	-897	-19
2	24	0	177	6	15		276	152	124	82
1	328	1	100	94	71	16	815	662	153	23
20	5	0	30	10	31	30	365	531	-166	-31
6	131	1	223	312	211	5	1,380	1,810	-430	-24
15	0	0	0	1	0		82	90	-8	-9
6	0	0	0	0	0		7	8	-1	-13
2	0	0	8	33	34	15	323	304	19	6
	0	0	3	3	50	9	132	153	-21	-14
840	5,812	34	2,676	1,918	1,728	3,647	25,601	25,144	457	2
623	4,293	30	1,549	1,363	2,167	2,558	19,843	18,957	886	5
186	962	6	229	141	152	272	2,495	1,865	630	34
1,634	2,402	9	967	2,970	395	1,736	16,859	14,737	2,122	14
134	424	6	159	162	75	432	2,872	2,860	12	.4
127	1,471	14	481	266	417	347	5,525	4,941	584	12
179	1,513	13	560	445	460	562	5,190	3,579	1,611	45
51	879	5	312	97	258	459	3,156	3,117	39	1
8	360	1	63	18	202	107	1,239	680	559	82
137	1,810	17	960	624	512	1,638	8,407	7,652	755	10
72	723	4	392	249	293	450	3,128	3,900	-772	-20
45	516	1	249	211	641	330	2,774	2,852	-78	-3
48	151	0	95	329	311	297	1,608	1,215	393	32
33	151	0	142	329	311	286	1,927	1,274	653	51
							24,909	17,432	7,477	43

PROBATE AND FAMILY COURT DEPARTMENT

Fiscal Year 1980 Totals
Monthly Trial List Reports

	Barnstable	*Berkshire*	*Bristol*	*Dukes*	*Essex*	*Franklin*	*Hampden*	*Hampshire*
Divorces, contested	110	152	171	6	177	153	690	96
Divorces, uncontested	522	490	1,717	31	1,961	129	1,049	535
Separate Support, contested	7	3	44	1	24	3	14	4
Separate Support, uncontested	18	7	374	1	264	4	27	16
Contempts, contested	175	94	69	28	115	58	967	73
Contempts, uncontested	77	105	567	12	50	18	305	109
Modifications, contested	123	70	62	6	34	55	441	76
Modifications, uncontested	19	39	196	8	75	23	84	58
Equity, contested	14	5	7	3	19	12	21	8
Equity, uncontested	8	5	127	7	68	9	27	71
Motions, contested	562	175	1,050	42	3,825	279	1,861	266
Motions, uncontested	1,304	188	2,465	170	5,576	249	1,802	1,368
Adoptions, contested	0	7	0	2	2	0	17	3
Adoptions, uncontested	61	57	147	1	233	25	234	42
Contested Probate	41	16	15	9	46	26	37	26
Uncontested Probate	1,968	1,508	3,317	244	3,767	1,023	6,971	1,243
Appointment of Masters	3	4	0	0	46	3	6	0
Masters' Reports Filed	3	6	4	0	12	3	0	0
Total Contested Matters	1,032	522	1,418	97	4,242	586	4,048	552
Total Uncontested Matters	3,977	2,399	8,910	474	11,994	1,480	10,499	3,442
Grand Total, Matters Heard	5,009	2,921	10,328	571	16,236	2,066	14,547	3,994
Medical Emergency Cases	0	1	3	3	3	0	1	0

PROBATE AND FAMILY COURT DEPARTMENT

Fiscal Year 1980 Totals
Monthly Trial List Reports

Middlesex	*Nantucket*	*Norfolk*	*Plymouth*	*Suffolk*	*Worcester*	*Total FY'80*	*Total FY'79*	*Change* NO.	*Change* %
719	4	202	424	361	1,224	4,489	5,274	-785	-15
3,566	27	1,602	1,084	1,082	1,319	15,834	15,388	446	3
30	0	18	181	62	9	400	519	-119	-23
64	1	166	205	255	22	1,424	1,623	-199	-12
1,336	9	290	208	963	599	4,984	4,034	950	24
690	8	1,017	77	494	956	4,485	3,617	868	24
148	4	100	72	31	283	1,505	1,556	-51	-3
168	3	165	97	43	147	1,125	1,094	31	3
156	1	27	32	42	22	369	309	60	19
64	0	138	65	75	61	725	547	178	33
10,615	26	1,829	3,576	912	1,173	26,191	17,330	8,861	51
6,565	37	4,853	3,728	3,159	394	31,858	31,292	566	2
82	0	7	7	40	36	203	99	104	105
339	1	235	204	331	340	2,250	2,420	-170	-7
521	0	55	53	133	1	979	814	165	20
13,420	118	8,537	3,177	6,077	4,889	56,259	48,835	7,424	15
401	1	132	69	12	8	675	1,132	-457	-40
400	0	98	29	1	2	558	461	97	21
13,607	44	2,528	4,553	2,544	3,347	39,120	29,935	9,185	31
24,876	195	16,713	8,637	12,236	8,128	113,960	104,816	9,144	9
38,483	239	19,241	13,190	14,780	11,475	153,080	134,751	18,329	14
1	0	3	11	12	0	38	---	---	---

PROBATE AND FAMILY COURT DEPARTMENT

Summary of Fiscal Year 1980 Collections
Family Service Offices

Division	Litigants	Department Of Public Welfare	Federal Reimbursement
Barnstable	565,937.32	157,906.57	26,917
Berkshire *	----------	----------	----------
Bristol	365,486.70	132,484.02	79,795
Dukes **	----------	----------	----------
Essex	1,091,349.06	308,309.59	34,356
Franklin	5,385.00	105.00	10,519
Hampden	1,478,428.31	1,184,210.18	92,202
Hampshire	65,520.79	59,732.24	17,931
Middlesex	5,289,579.12	1,699,912.83	126,627
Nantucket **	3,950.00	----------	----------
Norfolk	1,596,678.06	376,145.62	102,462
Plymouth	2,116,857.99	647,788.88	120,349
Suffolk	680,683.65	279,213.85	28,047
Worcester	1,157,993.54	882,239.98	131,811
TOTAL	$14,417,849.54	$5,728,048.76	$771,016

*Berkshire has no Family Service Office at present.

**The Family Service Office of the Barnstable Division provides collection services for the Dukes and Nantucket Divisions.

PROBATE AND FAMILY COURT DEPARTMENT

Synopsis of Support Collections

Fiscal Year	Litigants	D.P.W.	Total
1975	$1,723,844	$ 947,932	$2,671,776
1976	3,028,513	1,538,394	4,566,907
1977	5,499,738	2,251,928	7,751,666
1978	7,950,419	3,393,239	11,343,658
1979	9,731,651	4,162,038	13,893,689
1980	14,417,850	5,728,049	20,145,899
Percent Change FY'75 to FY'80	736%	504%	654%
Percent Change FY'79 to FY'80	48%	38%	45%
TOTAL for Six Years	$42,352,015	$18,021,580	$60,373,595

PROBATE AND FAMILY COURT DEPARTMENT
Fiscal Year 1980
Fees Collected

	Probates	Divorces	Certificates and Copies	Total
Barnstable	$ 47,137.00	$26,106.00	$28,690.60	$101,93 .60
Berkshire	30,821.00	28,272.00	14,071.15	73,164.15
Bristol	66,839.00	81,195.00	32,953.57	180,987.57
Dukes	4,536.00	1,536.00	3,346.25	9,418.25
Essex	117,148.75	107,094.00	57,230.50	281,473.25
Franklin	15,307.00	13,794.00	5,975.00	35,076.00
Hampden	80,400.00	77,710.00	34,538.50	192,648.50
Hampshire	29,990.00	24,679.00	11,071.25	59,740.25
Middlesex	229,973.00	209,228.00	118,993.25	558,194.25
Nantucket	2,484.00	1,292.00	1,570.65	5,346.65
Norfolk	125,011.00	85,972.00	63,345.00	274,328.00
Plymouth	57,656.25	74,024.50	30,946.85	162,627.60
Suffolk	112,556.25	82,310,50	62,917.95	257,784.70
Worcester	101,235.00	143,061.00	49,559.41	293,855.41
TOTALS	$1,015,094.25	$956,274.00	$515,209.93	$2,486,578.18

THE SUPERIOR COURT DEPARTMENT

CRIMINAL

The Superior Court Department began the fiscal year with 23,729 Criminal Complaints pending against an estimated 11,300 defendants. During the year, an additional 22,781 Criminal Complaints were entered at an average rate of 1,898 per month. Together, the pending caseload plus new entries equalled a total caseload of 46,510 Criminal Complaints.

The Superior Court Department disposed of 65 percent of this total caseload. Disposing of cases at an average rate of 2,517 complaints per month, the Department disposed of 33 percent more complaints than were entered during the year.

The net result, a 31 percent decrease in criminal complaints pending at the close of FY 80, is attributable to a number of factors.

One such factor is the transfer of de novo appeals from the District and Boston Municipal Court Departments out of the Superior Court Department's jurisdiction back to the jurisdiction of the department from which the appeal originated. This transfer, effective as of January 1, 1979, has decreased the number of criminal cases entered in the Superior Court Department.

In Fiscal Year 1980, complaints entered were down in all but two divisions, and, overall, complaints entered decreased by 24 percent or 7,255 from 30,036 in FY '79 to 22,781 in FY'80.

A second factor in the reduction of the pending caseload has been an increased emphasis on the management of the flow of Criminal cases. In moving to meet the tightening, entry-to-disposition timetable established by the "speedy trial" rule (Mass. R. Crim. P. 36 (b) (1)), the Department is closely monitoring the progress of its criminal caseload.

A clear result of this management has been the effective disposition of all pre-January 1, 1979 pending District and Boston Municipal Court Department de novo appeals.

CIVIL

For purposes of this report, civil caseload figures for the Superior Court Department are presented for the 18 month period July 1, 1979 through December 31, 1980 - instead of for the 12 months July through June fiscal year cycle. This is done because of a change to a computer-based data collection system currently being implemented in the Superior Court Department. December, 1980 is the first month in which comparable figures were available department-wide.

In July, 1978, there were 86,332 civil cases pending

in the Superior Court Department. By June, the close of the 1979 fiscal year, that number had been reduced to 80,753, a 6 percent decrease. By December, 1980, the pending civil caseload had been cut to 69,176, an 11,795 case or 15 percent reduction in 18 months, a 17,156 case or 20 percent decrease in 30 months.

Four factors at work in the Superior Court Department during this period have combined to effect this reduction.

One factor is the added resources provided to the Superior Court Department during this period and concentrated, in large part, on the civil caseload. These additional resources include 10 new justices during 1979, the use of recall justices and cross departmental assignments of justices from the District, Boston Municipal, Probate and Family and Land Court Departments. Cross departmental assignments of non-judicial personnel and cooperation among several departments, primarily the District Court Department, in making additional courtrooms available has made the full use of this added judicial strength possible.

The efficient use of these resources has been further enhanced by the effective coordination of civil sessions with divisional caseload demands by the newly created Regional Administration System.

A third factor has been recent innovations in the management of the Department's caseflow. These include the use of modified individual calendaring sessions in the Suffolk Division and the use of conciliation sessions around the state. In addition, there have been persistent sweeps of the pending civil caseload by both the justices and Clerk-Magistrates to identify and move to disposition certain targeted casetypes. These include older pending cases, in general, but, more specifically, those cases in which no further action by either party is indicated.

A final element is the civil case inventory system which has strengthened the Department's case management capability by providing the court with a more accurate and complete analysis of the pending civil caseload.

By bringing these four elements together, the Superior Court Department has been able to dispose of 24 percent more cases than were commenced during this 18 month period, and, thereby, the Department continues the trend toward reduced backlog and delay.

Additional information is available from the Administrative Office of the Superior Court Department.

SUPERIOR COURT - CRIMINAL CASELOAD ANALYSIS

Summary Report on Criminal Caseload for the Period July, 1979 through June, 1980

Based on a Count of Entries

Division	Cases Pending 7/1/79	Cases Commenced	Total Caseload	Dispositions	Cases Pending 6/30/80	Change in Pending Caseload No.	Change in Pending Caseload %	Dispositions as a % of Cases Commenced
Barnstable	635	686	1,321	829	492	-143	-22%	121%
Berkshire	473	245	718	480	238	-235	-50%	196%
Bristol	2,627	1,993	4,620	2,759	1,861	-766	-29%	138%
Dukes	19	53	72	29	43	+24	+126%	55%
Essex	2,714	1,258	3,972	2,708	1,264	-1450	-53%	215%
Franklin	287	173	460	356	104	-183	-66%	206%
Hampden	4,536	3,633	8,169	4,976	3,193	-1343	-30%	137%
Hampshire	397	494	891	482	409	+12	+3%	98%
Middlesex	3,032	2,612	5,644	3,782	1,862	-1170	-39%	145%
Nantucket	0	27	27	23	4	+4	---	85%
Norfolk	1,085	1,493	2,578	1,501	1,077	-8	-.7%	101%
Plymouth	1,516	1,157	2,673	2,039	634	-882	-58%	184%
Suffolk	6,048	4,925	10,973	6,484	4,489	-1559	-26%	132%
Worcester	360	4,032	4,392	3,755	637	+277	+77%	93%
TOTAL	23,729	22,781	46,510	30,203	16,307	-7422	-31%	133%

SUPERIOR COURT DEPARTMENT
Changes in the Criminal Caseload
Based on a Count of Entries

			Change	
BARNSTABLE DIVISION	FY'79	FY'80	No.	%
Start Pending	681	635	-46	-7
Entered	971	686	-285	-29
Disposed Of	1,017	829	-188	-18
End Pending	635	492	-143	-23
BERKSHIRE DIVISION				
Start Pending	1,001	473	-528	-52
Entered	314	245	-69	-22
Disposed Of	842	480	-362	-43
End Pending	473	238	-235	-50
BRISTOL DIVISION				
Start Pending	4,152	2,627	-1525	-37
Entered	2,122	1,993	-129	-6
Disposed Of	3,683	2,759	-924	-25
End Pending	4,137	1,861	-2276	-55
DUKES DIVISION				
Start Pending	30	19	-11	-36
Entered	34	53	-19	-55
Disposed Of	45	29	-16	-35
End Pending	19	43	+24	+126
ESSEX DIVISION				
Start Pending	3,233	2,714	-519	-16
Entered	4,318	1,258	-3060	-71
Disposed Of	5,837	2,708	-3129	-53
End Pending	2,714	1,264	-1450	-53

SUPERIOR COURT DEPARTMENT
Changes in the Criminal Caseload
Based on a Count of Entries

FRANKLIN DIVISION	FY'79	FY'80	Change No.	Change %
Start Pending	429	287	-142	-33
Entered	217	173	-44	-20
Disposed Of	358	356	-2	-.5
End Pending	287	104	-183	-64
HAMPDEN DIVISION				
Start Pending	6,383	4,536	-1847	-29
Entered	3,608	3,633	+25	+.6
Disposed Of	5,429	4,976	-453	-8
End Pending	4,536	3,193	-1343	-30
HAMPSHIRE DIVISION				
Start Pending	571	397	-174	-30
Entered	299	494	+195	+65
Disposed Of	596	482	-114	-19
End Pending	397	409	+12	+3
MIDDLESEX DIVISION				
Start Pending	4,349	3,032	-1317	-30
Entered	3,909	2,612	-1297	-33
Disposed Of	5,425	3,782	-1643	-30
End Pending	2,833	1,862	-971	-34
NANTUCKET DIVISION				
Start Pending	15	0	-15	-100
Entered	31	27	-4	-13
Disposed Of	46	23	-23	-50
End Pending	0	4	34	

SUPERIOR COURT DEPARTMENT
Changes in the Criminal Caseload
Based on a Count of Entries

NORFOLK DIVISION	FY'79	FY'80	Change No.	Change %
Start Pending	1,385	1,085	-300	-22
Entered	2,092	1,493	-599	-29
Disposed Of	2,445	1,501	-944	-39
End Pending	1,085	1,077	-8	-.7
PLYMOUTH DIVISION				
Start Pending	2,112	1,516	-596	-28
Entered	1,655	1,157	-498	-30
Disposed Of	2,404	2,309	-365	-15
End Pending	1,516	634	-882	-58
SUFFOLK DIVISION				
Start Pending	8,592	6,048	-2544	-30
Entered	6,123	4,925	-1255	-21
Disposed Of	8,757	6,484	-2268	-26
End Pending	6,048	4,489	-1559	-26
WORCESTER DIVISION				
Start Pending	670	360	-310	-46
Entered	4,253	4,032	-221	-5
Disposed Of	4,564	3,755	-809	-18
End Pending	359	637	+278	+77
SUPERIOR COURT DEPARTMENT				
Start Pending	33,603	23,729	-9874	-29
Entered	30,036	22,781	-7255	-24
Disposed Of	41,448	30,203	-11,245	-27
End Pending	25,039	16,307	-8732	-35

SUPERIOR COURT - CIVIL CASELOAD ANALYSIS

Summary Report on Civil Caseload for the period July, 1979 through December, 1980

Division	Cases Pending 7/1/79	Cases Commenced	Total Caseload	Dispositions	Cases Pending 12/31/80	Change in Pending Caseload No.	Change in Pending Caseload %	Dispositions as a % of Cases Commenced
Barnstable	2,199	1,562	3,761	1,633	2,128	-71	-3	105
Berkshire	829	629	1,458	681	777	-52	-6	108
Bristol	2,711	5,600	8,311	5,904	2,407	-304	-11	105
Dukes	112	104	216	54	162	+50	+45	52
Essex	11,262	4,476	15,738	8,184	7,554	-3708	-33	183
Franklin	295	284	579	266	313	+18	+6	94
Hampden	2,944	2,737	5,681	2,504	3,177	+233	+8	91
Hampshire	761	693	1,454	729	725	-36	-5	105
Middlesex	19,523	10,396	29,919	14,986	14,933	-4590	-24	144
Nantucket	77	47	124	26	98	+21	+27	55
Norfolk	6,472	4,788	11,260	4,343	6,917	+445	+7	91
Plymouth	4,302	3,346	7,648	3,453	4,195	-107	-2	103
Suffolk	25,612	10,460	36,072	14,208	21,864	-3748	-15	136
Worcester	3,872	4,497	8,369	4,443	3,926	+54	+1	99
TOTAL	80,971	49,619	130,590	61,414	69,176	-11,795	-15	124

SUPERIOR COURT DEPARTMENT
APPELLATE DIVISION

For the Period July 1, 1979 - June 30, 1980

	FY'79	FY'80	Change
Appeals pending for review	827	959	+132
Appeals entered for review	850	711	-139
	1,677	1,670	- 7
Appeals withdrawn	287	290	+ 3
Appeals moot	9	13	+ 4
Appeals dismissed	359	702	+343
Appeals dismissed as moot	17	1	- 16
Sentences reduced	46	38	- 8
Sentences increased	0	0	----
TOTAL	718	1,044	+326
Appeals pending as of June 30, 1980	959	626	-333

OFFICE OF THE COMMISSIONER OF PROBATION

INTRODUCTION

Among the highlights for 1980 were several significant personnel changes in the Office of the Commissioner of Probation:

- on January 4, 1980, Sidney Barr retired as a Deputy Commissioner in the Office of the Commissioner of Probation
- on January 30, 1980, Richard J. Villa, a Supervisor of Court Probation Services, was appointed a Deputy Commissioner, filling the position vacancy created by Mr. Barr's retirement
- on April 30, 1980, Philip W. Showstead, Chief Probation Officer of the Wareham Division of the District Court Department, was appointed a Supervisor of Court Probation Services, filling the position vacancy created by Mr. Villa's promotion
- on November 16, 1980, Gregory L. Phillips, Esq. was appointed Associate Counsel, to assist Deputy Commissioner Villa in the expanding Legal Affairs Section of the Office of the Commissioner of Probation

The development of standards for probation work was a significant activity in 1980. Highlights in the area of standards include:

- the Standards for Investigations in the Superior Court probation offices went into effect on January 1, 1980, with new forms
- training sessions were held regionally in the late fall for staff in the various probation offices concerning the new Monthly Report of Probation Activities, which go into effect on January 1, 1981. This will be an integral part of our Management Information System
- work is on-going on Juvenile Investigation Standards, Probation Classification, Supervision Standards, and Office Procedures and Record Keeping Standards. All will be promulgated within the first half of 1981

Training programs were another important focus of the Office of the Commissioner of Probation in 1980. The Staff Development Division conducted nearly 15,000 person hours of training programs last year, with topics including management, Risk/Need, supervision skills, orientation and burnout.

Finally, on December 2, 1980, a highly successful, all-day Annual Massachusetts Probation Conference was held at the Chateau de Ville in Framingham. A capacity group of 300 probation personnel were in attendance.

The Massachusetts Probation Service is a confident, professional organization providing excellent service to the court, the probationer and the community.

LEGISLATION/COURT DECISIONS

Legislation of interest to the Massachusetts Probation Service in 1980 included:

Chapter 452 of the Acts of 1979
An Act Providing for the Reciprocal Enforcement of Support Orders - which further defines "States" to include any State, Territory or Possession of the U.S. District of Columbia, Commonwealth of Puerto Rico and any other jurisdiction which has a similar reciprocal law to which the Commonwealth of Massachusetts is authorized to enter into such reciprocal agreement.

Chapter 31 of the Acts of 1980
An Act Further Regulating the Payment of Certain Fines by Mail - provides that any amount of fine may be paid by mail regarding any motor vehicle fine, not to include parking tickets. (Formerly the amount to be paid could not exceed one hundred and fifty dollars - $150.00).

Chapter 122 of the Acts of 1980
An Act Relative to the Jurisdiction of the District Courts over Certain Assault and Battery Offenses - this Act adds assault and battery with a dangerous weapon to the list of crimes to which the District and Boston Municipal Court Departments have original jurisdiction concurrent with the Superior Court Department.

Chapter 155 of the Acts of 1980
An Act which Further Delineates and Extends the Authority of the Parole Board over Persons Originally Confined to Jail and the House of Correction.

COURT DECISIONS

Listed below are a number of Court Decisions noted during the Calendar Year 1980 which are considered to have an impact on the Probation Service:

Fay v. Commonwealth - Mass. Advance Sheets, 1980, p. 105
A discussion on preliminary hearings on probation revocation hearings including:

1) Notice and opportunity to be heard by probationer
2) Preliminary hearing on probation revocation and loss of liberty during pending adjudication of the final hearing
3) Requirement of Due Process- probationers have a right to written findings regarding evidence relied upon and reason for revoking probation.
4) Right of Counsel in probation revocation hearings.

Commonwealth v. Thomas C. Cook - Mass. Advance Sheets, 1980, p. 237
This is a discussion on juvenile transfer hearings under General Laws, Chapter 119, sections 52 through 84.

1) Transfer hearings held not be adjudicatory in nature, therefore, no double jeopardy issue.
2) Under the Due Process problem, the judge's statement that the charges were serious in nature, which could render the treatment of a juvenile as an adult, was held not to be prejudicial.

Crooker v. Foley - Lawyers Weekly, March 24, 1980
Held that an inmate is justified in requesting and receiving copies of his/her probation record because personal privacy exemption does not preclude the plaintiff's reviewing records which pertain to him/her personally.

Petition of the Worcester Children's Friend Society to Dispose with Consent to Adoption - Mass. Lawyers Weekly, April 21, 1980
Held that the best interest of the child in a 210 petition required consideration of the court of the total evidence, including an affidavit of a psychiatrist who had interviewed mother and who found mother to be capable of taking proper care of her child.

A Juvenile v. Commonwealth - Mass. Lawyers Weekly May 12, 1980
Held that where there was evidence which dealt only with the seriousness of the charge and with inadequate juvenile facilities there must also be evidence that the juvenile cannot be rehabilitated within the present juvenile structure and that he/she poses a "serious threat to the public".

Furtado v. Furtado - Mass. Lawyers Weekly, May, 1980
Where questions were put to a Probate Court probation officer by the judge in a contempt hearing against the defendant, the Appeals Court held that the judge was actively involved in the development of evidence against the defendant and therefore reversed a conviction for criminal contempt.

COMMISSIONER'S OFFICE

Probation Central File

A revised abbreviation and code book will be made

available in early 1981. It will be known as the "PROBATION CENTRAL FILE (PCF) INSTRUCTION MANUAL", to be used for Massachusetts Probation Office reporting and requesting court activity record information.

Microfilming

Microfilming of certain sections of the Probation Central File was begun during 1979 and continued throughout 1980. At the close of the calendar year 1980, approximately 940,000 records were placed on microfilm.

The records selected for microfilming are:

- deceased persons records(approximately 24,000)
- sealed records (approximately 34,000)
- purged records (with D.O.B. prior to 1-1-15, approximately 915,000)

It is still too early to determine the gains from the microfilming activities. However, the physical space constrictions imposed on the Probation Central File working area, and the fact that the manual file will be active for at least the next several years, suggest that the microfilming activity is a necessary part of the total Probation Central File operation.

Sealed Records

Sealing of records continues at a steadily increasing rate. During calendar year 1980, approximately 16,700 records were sealed. A total of 49,000 records are now in the sealed record file.

Automation

The Criminal History Systems Board has agreed that it is no longer necessary to plan for Probation Central File information to reside in both the Executive Branch computer and the Judicial Branch computer. A system is being developed for the "switching" or transfer of Probation Central File information when it is needed.

A new schedule for the processing of Probation Central File information is being worked out.

Fees for Record Searches

The Office of the Commissioner of Probation collected $4,923.00 for calendar year ending 1980 in accordance with Massachusetts General Laws, Chapter 276, Section 100, which reads in part as follows: ". . . *Commissioner of Probation shall collect information, . . . The information so obtained and recorded shall not be regarded as public records and shall not be open for public inspection but shall be accessible to the justices and probation officers of the courts, to the police commissioner for the city of Boston, to all chiefs of police and city marshals, and to such departments of the state and local governments as the commissioner may determine. Upon payment of a fee of three dollars for each search, such records shall be accessible to such departments of the federal government and to such educational and charitable corporations and institutions as the commissioner may determine.*"

Management Information System

A Local Office Reporting System was refined and tested during 1980 by the Office of the Commissioner of Probation for statewide implementation on January 1, 1981. This system is one component of a comprehensive Management Information System being developed by the Commissioner's office.

The key features of the system are the new Monthly Report of Probation Activities (MRPA) forms. These forms have been designed to gather accurate and reliable information on the basic activities of each probation office. The information will assist the management in the Commissioner's office, and on the local level, in making informed decisions.

The statistical MRPA forms are submitted to the Commissioner's Office each month by all Massachusetts probation offices. Items reported include: the number of supervised cases, the number of arraignments, money collections, etc.

For the first time, computers will be used to process these statistics. The data from these offices will be entered monthly into the computers located at the Judicial Data Processing Center in Cambridge, via a terminal in the Commissioner's Office. The data will be analyzed and compiled into various management reports, which will be distributed to the appropriate personnel.

A standard for the new Monthly Report of Probation Activities was promulgated by the Commissioner of Probation on December 19, 1980, effective on January 1, 1981.

Research

The Commissioner of Probation is mandated under

Chapter 276, Section 98 to "compile, evaluate and make available for official use and public education . . . statistical information on delinquency, crime and appropriate family matters. . ."

Data is drawn from various sources, including the Monthly Report of Probation Activities, which was revised in 1980 and incorporated into the Management Information System. Plans for the computerization of the Monthly Report of Probation Activities were developed in 1980, for implementation in 1981.

Data from individual court appearance records is also analyzed. In 1980, 4,675 court appearance records were pulled from the Probation Central File to be analyzed for research purposes. The Research Department published the following research reports in 1980: ***Patterns of Crime and Delinquency in Massachusetts: 1979-1978, Rape in Massachusetts: Convictions and Sentences (1974-1978), Drug Defendants in Massachusetts: 1979, Drug Defendants in Massachusetts: A Comparison of Class A and Class D Defendants, Arson in Massachusetts: Sentencing Patterns (1975-1978), Driving Under the Influence of Liquor: Dispositions and Placements in Drivers Alcohol Education Programs 1977-1979, Juvenile Defendants in Massachusetts: Patterns of Delinquency Charges (1978-1980),*** and ***Juvenile Bindovers in Massachusetts: 1979.***

A summary of findings of these research reports was disseminated through 175 newspapers, radio and television stations, as well as through national research centers such as the National Criminal Justice Reference Service and the Library of Congress in Washington D.C.

In addition, the Research Department also assisted several outside agencies with research projects which requested access to criminal history records from the Probation Central File. Among the agencies assisted in 1980 were: Department of Youth Services, Department of Corrections, Penikese Island School, Boston University, Alcoholism Research and Training Center, Statistical Analysis Center of the Massachusetts Committee on Criminal Jusitce, New York State Department of Mental Hygiene, Boston New Pride and Boston Juvenile Court.

During 1980, the Research Department of the Office of the Commissioner of Probation received 939 requests for copies of various research reports published by the Research Department. These requests were received from nearly every state in the nation, as well as several foreign countries.

MASSACHUSETTS PROBATION OFFICES

Regional Probation Administration

During 1980, Commissioner Foley established the External Affairs Division of the Office of the Commissioner of Probation, and assigned four members of the Senior Staff to full time regional probation administration duties. The following duties were some of these assigned to this new Division:

- through technical assistance and consultation services, assist local offices implement and utilize professional standards as promulgated by the Commissioner of Probation with the approval of the Chief Administrative Justice of the Trial Court;
- monitor and assess the use of such standards and the related forms and procedure in local offices;
- conduct regular site visits to all probation offices to facilitate the dissemination and implementation of probation policies and procedures;
- assess local office management, operational needs and identify probation service training concerns;
- conduct regularly scheduled regional meetings with local probation managers.

During 1980, Regional Probation Administration provided technical assistance in the utilization of Investigation Standards to the ten Superior Court Department offices, 69 District Court Department offices and the probation office of the Boston Municipal Court Department, as well as in the implementation of the "Risk/Need" Classification System. Likewise, the use of the aforementioned standards and classification system were closely monitored.

Regional Probation Administrators worked closely with local managers concerning labor relation policy, procedures and issues, and for several months, served as the Commissioner's designated Step II, Grievance Hearing Officers.

The Administrators conducted 30 Regional Chief Probation Officer meetings during the year, in which they discussed policy items established by the Commissioner, as well as soliciting for the Commissioner the concerns and suggestions of local management.

Finally, the External Affairs Division supported and

assisted the other Divisions of the Office of the Commissioner of Probation in working toward the achievement of Commissioner Foley's mission and goals for the Massachusetts Probation Service.

Collective Bargaining

Five regional workshops on "positive contract administration" were conducted by the American Arbitration Association for over 100 chief probation officers and other trial court management staff during April, May and June of 1980. The two-day workshops addressed the general areas of labor administration and labor relations with a special emphasis on grievance procedures.

A workshop for chief probation officers on the conducting of Step No. 1 grievance hearings was held as a workshop during the Annual Probation Conference in December, 1980.

Negotiations are underway with Local 254, Service Employees International Union, AFL-CIO for the new contract period scheduled to begin on July 1, 1981. All probation officers (excluding chief probation officers) and all court officers (except those in the Superior Court Department in Suffolk and Middlesex Counties) are covered by the current contract due to expire on June 30, 1981.

Accreditation

The Massachusetts Probation Accreditation Commission (MPAC) announced the official opening of its office on September 20, 1979, to accept applications for accreditation from the probation service of Massachusetts. The Commission marks the culmination of efforts begun in 1971. The Massachusetts Probation Service is at the forefront nationally in establishing and implementing standards of excellence with which an office voluntarily strives to achieve compliance. 1980 was a year of growth for all aspects of MPAC.

The Commission is presently a nine-member body, appointed by the Commissioner of Probation Joseph P. Foley, to establish standards, to implememt the Accreditation Plan, to assess an office's compliance with the accreditation standards, and to recommend an accreditation award to those offices which have achieved compliance with the accreditation standards.

The Commissioner of Probation also has appointed a Standards Committee, composed largely of probation officers to review and revise existing standards and to insure the Accreditation Plan remains timely, relevant, and continues to contain standards of excellence.

The Commission approved a pool of 43 potential site team participants over the past year who represent varied geographical areas as well as professional backgrounds. The task of the site team is to perform compliance checks within a probation office, once the office deems it has complied with the standards required for accreditation. Of the 43, 20 have completed an extensive training, conducted by MPAC and OCP staff to familiarize them with the Massachusetts Probation Service, the established standards for accreditation, and verification techniques.

As of December 31, 1980, 15 probation offices had applied for accreditation. The offices are the Divisions of the District Court of Wareham, Woburn, Gardner, Brookline, Dudley, Milford, Hingham, Wrentham, Orleans, Westboro; the Probate and Family Court Divisions of Worcester, Norfolk, Bristol; and the Superior Court Divisions of Suffolk and Hampden.

In late 1980, three offices were visited by three membered site teams. The Commission looks forward to voting on accreditation for these three offices in early 1981.

The benefits of the Massachusetts Probation Accreditation Commission's entire effort are far reaching. The Accreditation Plan necessitates a probation service that is more accountable to the communities it serves. Persons placed under probation supervision will benefit from services designed to meet their needs. Individual probation officers will benefit from an increased sense of professionalism.

The Commission has undertaken a large task that involves and affects a large number of people in the Commonwealth. It is the Commission's intent to continue to garner the support of both the public and private sector in this most important endeavor.

Standards

As a result of court reform legislation passed in 1978, the Commissioner of Probation is required to develop and promulgate "standards and rules" for all major areas of probation work. Significant progress toward that goal occurred in 1980.

In January, 1980, standards for investigation in the Superior Court Department became effective. A formal monitoring was undertaken in June by the Superior Court Supervisor's Office, in concert with the Staff Development Division of the Office of the Commissioner of Probation. The results indicated a substantial degree of compliance with the standards and a second monitoring is scheduled for March, 1981.

Standards governing investigation in the District and Boston Municipal Court Departments, developed from recommendations submitted to the Commissioner by a group of justices and probation officers from those departments, became effective in September. In preparation for the implementation of these standards, a series of regional workshops was held in July to train supervisory personnel in the use of the standards. An initial monitoring for compliance with these standards will be conducted by the Regional Probation Administrators in March, 1981, six months after promulgation.

Juvenile Investigation Standards, incorporating the recommendations of an advisory committee of probation officers for juveniles, were put in final form during 1980 and will be promulgated in January, 1981, to be effective in March, 1981. In preparation for the implementation of these standards, a series of regional training workshops will be conducted for supervisory personnel during February.

A task force of probation officers from the Superior, District and Boston Municipal, and Juvenile Court Departments was convened in September and met weekly for over two months before submitting a draft of proposed supervision standards to the Commissioner of Probation in December. It is anticipated that standards governing the supervision of offenders will be promulgated in the spring of 1981.

A draft of standards governing office procedure and record keeping practices is being developed by a representative group of probation officers from the Superior, District and Boston Municipal, and Juvenile Court Departments. The Commissioner will be receiving that group's recommendation in March, 1981.

Finally, the Commissioner of Probation has asked a committee of Probate and Family Court probation officers to assist him in developing standards for probation work in that department of the Trial Court. This committee is also expected to submit its recommendation to the Commissioner in March, 1981.

Risk/Need Client Classification

Massachusetts Probation, working with a research grant awarded during 1980 from the National Institute of Corrections and under the direction of the Commissioner of Probation, Joseph P. Foley, and Chief Administrative Justice Arthur M. Mason, have joined a select list of probation systems that are taking new directions and setting the trends for probation in the 1980's.

In late 1978, a developmental system of probation client classification was pilot tested in the probation offices of Hampden, Plymouth and Suffolk in the Superior Court Department. Other courts involved were the Cambridge, Peabody, Quincy, Taunton and Worcester Divisions of the District Court Department as well as Middlesex Juvenile Probation District. Later in 1979 the classification system was instituted on a developmental basis in the remaining eighty-one probation offices of the Superior, District and Juvenile Court Departments. Experience in monitoring the ninety probation offices with particular scrutiny of the nine pilot offices, has led to further changes and developments in the classification system for the nine pilot probation offices. These courts are presently supplying the research data base for the second phase of the classification system.

The purpose underlying the implementation of the classification system in Massachusetts is the development of a sound case management system, leading to an optimal allocation of probation resources. In a period of diminishing fiscal resources, demographic changes in the make-up of probation clientele, and the changing public attitude towards correctional philosophy, it seems imperative that the aim of the correctional system that serves at least eighty percent of the clientele develop a formal classification system.

Although client classification has always existed, a unified formal system of classification has not been developed. In the later part of the twentieth century, probation finds itself with a stronger mandate than ever before to serve fairly and equitably the interests of the court, probation client, and the community, and the development of such a system could better meet this mandate.

A closer observation of the Massachusetts Probation

Service shows that the probation system serves approximately 70,000 probation clients annually. The probation clients differ tremendously in the following:

1. Their degree of risk to the community, i.e. the probability that they will commit and be convicted of new offenses while under supervision.

2. Their degree of physical as well as psychosocial needs.

3. Their level of motivation and ability to improve their immediate lifestyle and situation.

Thus it becomes obvious that a systematic and professional assessment, as well as documentation of these critical probation client characteristics, will facilitate informed decision-making regarding practical supervision strategies. This will also effectuate improved accountability and efficiency in probation case management. The Risk/Need Classification System, which is being used in the nine pilot probation offices, provides the Massachusetts probation officer with an objective scale for the prediction of client risk, and a unified framework for assessing client motivation and ability in relation to needs. This system of caseload management also emphasizes the importance of setting specific goals with each client and evaluating the client's achievement of these goals over the period of probation supervision.

In addition to establishing a more effective and efficient basis for the Massachusetts Probation Service to allocate its resources toward the attainment of its mission and goals, the Classification System further moves probation towards realizing its promise as "Corrections Brightest Hope."

Staff Development

The Office of the Commissioner of Probation provides orientation training (Chapter 276, Section 85 and 99) for all newly appointed probation officers. The program consists of instructions in basic areas such as investigations, Risk/Need, supervision and use of community resources.

Additionally, probation officers are required to participate in continuing in-service training programs. This requirement may be satisfied in several ways: completing training programs conducted by the Office of the Commissioner of Probation; completing programs conducted by other organizations with approval from the Office of the Commissioner; completion of college/university courses approved by the Commissioner; completion of programs offered by designated "local trainers" in each court and approved by the Commissioner.

In 1980, the Staff Development Division conducted 14,867 person hours of training programs with 556 persons attending the courses. The training programs included:

- Orientation
- Management
- Local Trainer
- Risk/Need
- Family Systems
- Burnout
- Supervision Skills
- Sentencing Guidelines
- Standards
- Grievance Procedures
- Surrender/Release of Information

In addition, probation officers on their own attend a variety of academic and training programs sponsored by other agencies and institutions.

SPECIAL PROBATION POPULATIONS

Interstate Compact for Adults

The interstate movement of adult probationers is handled through the Adult Interstate Probation and Parole Compact; the Commissioner of Probation is Deputy Administrator for Massachusetts in probation matters.

In 1980, Massachusetts probation offices supervised 1,296 adult probationers from other states, while 872 Massachusetts residents were supervised by probation officers in other states.

Massachusetts probation officers also conducted 398 pre-sentence investigations of Massachusetts residents who entered the criminal justice system of another state.

Interstate Compact for Juveniles

The Commissioner of Probation is the Massachusetts Administrator of the Interstate Compact for Juveniles, which provides for:

- cooperative supervision of delinquent juveniles

between subscribing states;
- return from one state to another of delinquent juveniles who have escaped or absconded from the Department of Youth Services;
- return from one state to another of non-delinquent juveniles who have run away from home.

In 1980, 238 juveniles from other states were supervised by Massachusetts probation offices, while 172 were transferred from Massachusetts to other states for supervision.

In 1980, 133 juveniles who had escaped or absconded from DYS were returned to Massachusetts from other states, while 24 were returned from Massachusetts to other states. In 1980, 43 juvenile runaways were returned to Massachusetts from other states, while 31 were sent home to other states from Massachusetts.

Children in Need of Services

The Juvenile courts of Boston, Worcester, Springfield and Bristol County, and the juvenile sessions of certain district courts, have jurisdiction over Children in Need of Services cases, which include stubborn and runaway children under 17 years of age, and truants and school offenders 6-16 years old.

In 1980, 4,589 applications for "CHINS" petitions were considered, and 2,627 petitions were allowed.

Care and Protection

In 1980, 2,097 new Care and Protection petitions were brought before the courts, on behalf of children under 18 years of age who were alledgedly being abused and/or neglected. This compares to 2,409 C & P petitions in 1979.

In 1980, Massachusetts probation officers monitored the cases of 3,533 children statewide (1,704 girls and 1,829 boys) who had been determined to be in need of care and protection by the courts of the Commonwealth.

Delinquency Complaints

According to criminal history records submitted to the Probation Central File in Boston during 1980, 22,172 juveniles statewide were charged on delinquency complaints last year. This volume reflected 10.9 percent of the total volume of criminal history records received by the Probation Central File.

Juvenile boys accounted for 18,696 (84.3%), while girls accounted for 3,476 (15.7%) of the delinquency complaints in 1980.

Commitments to the Department of Youth Services

A juvenile or district court division may decide that a child needs rehabilitation treatment outside the home community. Such a child may be committed for minority (unless sooner discharged) to the Department of Youth Services for evaluation and rehabilitation.

During 1980, 661 children were committed to DYS for the remainder of their minority (unless sooner discharged by DYS) for services, not including those who were temporarily committed. Fifty-three (53) of these juveniles were committed to DYS more than once during the year.

Males accounted for 93 percent of the DYS commitments in 1980, while females accounted for 7 percent.

CONCLUSION

The Commissioner appreciates the cooperation and support received from the Chief Administrative Justice, the Trial Court Administrator, the justices of the Trial Court and the probation officers and their support personnel in the 100 probation offices of the Massachusetts Probation Service.

The Governor's Office, the Legislature and the City of Boston have been of significant help to us. The Massachusetts Committee on Criminal Justice has been most willing to assist us in our efforts to further the professional goals of the Massachusetts Probation Service.

The Commissioner is particularly grateful for the professional manner in which the entire staff at 211 New Court House has approached the challenges of the last year.

INDIVIDUALS FORMALLY CHARGED (1980)

Courts By Counties	Criminal Complaint			Delinquency Complaint			Care and Protection			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Barnstable	7,411	1,511	8,922	696	213	909	29	41	70	8,136	1,765	9,901
Berkshire	7,300	1,124	8,424	620	99	719	29	36	65	7,949	1,259	9,208
Bristol	16,012	2,721	18,733	1,963	294	2,257	161	135	296	18,136	3,150	21,286
Dukes	339	58	397	27	3	30	---	---	---	366	61	427
Essex	20,349	2,736	23,085	2,186	388	2,574	95	111	206	22,630	3,235	25,865
Franklin	2,157	286	2,443	290	37	327	41	23	64	2,488	346	2,834
Hampden	23,085	4,257	27,342	2,392	473	2,865	124	100	224	25,601	4,830	30,431
Hampshire	3,369	445	3,814	393	46	439	38	33	71	3,800	524	4,324
Middlesex	44,962	5,351	50,313	4,188	685	4,873	166	145	311	49,316	6,181	55,497
Nantucket	168	20	188	27	---	27	---	---	---	195	20	215
Norfolk	21,431	2,639	24,070	1,594	367	1,961	63	65	128	23,088	3,071	26,159
Plymouth	22,880	5,087	27,867	1,914	383	2,297	26	32	58	24,820	5,502	30,322
Suffolk	40,435	6,783	47,218	3,484	659	4,143	230	201	431	44,149	7,643	51,792
Worcester	29,842	3,725	33,567	2,190	332	2,522	78	95	173	32,110	4,152	36,262
TOTAL	239,740	36,743	276,483	21,964	3,979	25,943	1,080	1,017	2,097	262,784	41,739	304,523

JUVENILE ARRAIGNMENTS - 1980

(Individual Court Appearances for Delinquency Cases)

County/Court	Male	Female	TOTAL
BARNSTABLE COUNTY	600	135	735
Barnstable	438	105	543
Orleans	162	30	192
Barnstable Superior	---	---	---
BERKSHIRE COUNTY	21	9	30
Lee	---	---	---
Williamstown	---	---	---
Pittsfield	21	9	30
North Adams	---	---	---
Great Barrington	---	---	---
Adams	---	---	---
Berkshire Superior	---	---	---
BRISTOL COUNTY	2,134	338	2,472
Taunton	6	---	6
Fall River	28	3	31
New Bedford	207	36	243
Bristol County Juvenile	1,883	299	2,182
Attleboro	10	---	10
Bristol Superior	---	---	---
DUKES COUNTY	24	1	25
Edgartown	24	1	25
Dukes Superior	---	---	---
ESSEX COUNTY	1,685	331	2,016
Lynn	468	89	557
Lawrence	100	11	111
Newburyport	112	44	156
Salem	272	34	306
Amesbury	108	13	121
Haverhill	200	34	234
Gloucester	147	26	173
Ipswich	10	8	18
Peabody	268	71	339
Essex Superior	---	1	1
FRANKLIN COUNTY	205	27	232
Greenfield	152	22	174
Orange	53	5	58
Franklin Superior	---	---	---

JUVENILE ARRAIGNMENTS - 1980

(Individual Court Appearances for Delinquency Cases)

County/Court	Male	Female	TOTAL
HAMPDEN COUNTY	2,126	440	2,566
Holyoke	261	51	312
Chicopee	72	14	86
Springfield	9	1	10
Springfield Juvenile	1,506	340	1,846
Palmer	159	23	182
Westfield	118	11	129
Hampden Superior	1	---	1
HAMPSHIRE COUNTY	607	68	675
Northampton	579	65	644
Ware	20	1	21
Hampshire Superior	8	2	10
MIDDLESEX COUNTY	3,329	584	3,913
Somerville	299	25	324
Lowell	383	56	439
Newton	103	24	127
Marlboro	165	22	187
Concord	276	55	331
Ayer	333	44	377
Framingham	322	96	418
Malden	456	60	516
Waltham	252	47	299
Cambridge	315	45	360
Woburn	327	59	386
Natick	98	51	149
Middlesex Superior	---	---	---
NANTUCKET COUNTY	9	---	9
Nantucket	9	---	9
Nantucket Superior	---	---	---
NORFOLK COUNTY	1,060	202	1,262
Brookline	41	6	47
Dedham	186	28	214
Stoughton	95	10	105
Quincy	549	120	669
Wrentham	189	38	227
Norfolk Superior	---	---	---

JUVENILE ARRAIGNMENTS - 1980

(Individual Court Appearances for Delinquency Cases)

County/Court	Male	Female	TOTAL
PLYMOUTH COUNTY	1,889	383	2,272
Brockton	624	145	769
Hingham	454	110	564
Plymouth	379	53	432
Wareham	432	75	507
Plymouth Superior	---	---	---
SUFFOLK COUNTY	2,603	574	3,177
Boston Municipal	26	14	40
Roxbury	225	56	281
South Boston	86	4	90
Charlestown	3	2	5
East Boston	149	20	169
West Roxbury	410	43	453
Dorchester	427	100	527
Brighton	125	16	141
Chelsea	253	32	285
Boston Juvenile	898	287	1,185
Suffolk Superior	1	---	1
WORCESTER COUNTY	2,394	384	2,778
Fitchburg	354	61	415
Leominster	148	13	161
Worcester	27	2	29
Worcester Juvenile	762	157	919
Gardner	103	8	111
Dudley	264	30	294
Uxbridge	94	16	110
Milford	158	24	182
Westboro	186	33	219
Clinton	117	13	130
East Brookfield	142	21	163
Winchendon	39	6	45
Worcester Superior	---	---	---
AGGREGATE TOTALS	18,686	3,476	22,162

ACTIVE CARE AND PROTECTION CASES ON DECEMBER 31, 1980

COUNTY	Male	Female	Total
Barnstable	32	44	76
Berkshire	35	34	69
Bristol	220	217	437
Dukes	---	---	---
Essex	197	191	388
Franklin	11	5	16
Hampden	138	111	249
Hampshire	9	8	17
Middlesex	246	200	446
Nantucket	---	---	---
Norfolk	181	168	349
Plymouth	108	115	223
Suffolk	541	487	1,028
Worcester	111	124	235
TOTAL	1,829	1,704	3,533

*Source: Monthly Report of Probation Activities

CHILDREN IN NEED OF SERVICES - 1980

Courts	PETITIONS APPL.	ALLOWED
Brookline	25	25
Somerville	76	18
Lowell	192	253
Newton	28	2
Lynn	218	368
Holyoke	105	29
Lawrence*	*68	*57
Chicopee	17	18
Springfield Juvenile	97	265
Barnstable	91	16
Provincetown	20	6
Edgartown	---	1
Salem	54	7
Greenfield	52	49
Orange	24	8
Palmer	32	23
Westfield	16	10
Northampton	80	128
Concord	4	---
Ware	8	---
Malden	71	23
Waltham	95	16
Cambridge	78	12
Dedham	61	---
Stoughton	36	3
Quincy	156	91
Wrentham	71	10
Hingham	41	9
Worcester Juvenile	70	268
Gardner	63	24
Boston Juvenile	727	225
Peabody	19	16
Nantucket	1	---
Bristol County Juvenile District	449	58
Berkshire County Juvenile District	112	19
Essex County Juvenile District	436	83
Plymouth County Juvenile District	272	154
Middlesex County Juvenile District	216	103
No. Worcester County Juvenile District	185	84
So. Worcester County Juvenile District	223	146
TOTAL	4,589	2,627

Sources: Monthly Reports of Probation Activities

* Estimates

ADULTS ON PROBATION OR UNDER SUPERVISION IN MASSACHUSETTS ON DECEMBER 31, 1980

Supervised	M	309	271	732	66	2,575	437	1,546	1,208	5,098	---	1,793	2,675	3,927	2,088	22,725
Continuance	F	51	27	130	8	186	28	167	134	802	1	176	513	338	282	2,843
Not Supvsd.	M	1,926	631	1,466	53	2,854	234	2,988	603	2,487	64	2,984	3,298	3,777	3,794	27,159
Continuance	F	328	49	227	9	583	25	518	96	294	10	332	616	514	459	4,060
Straight	M	304	144	807	15	706	72	950	88	2,419	12	580	881	2,089	1,375	10,442
Probation	F	52	6	115	1	86	10	144	4	375	1	117	137	306	159	1,513
Suspended	M	416	755	1,932	13	2,070	242	1,905	414	4,228	24	1,527	1,012	4,199	1,591	20,328
Sentence	F	34	81	187	2	166	22	231	8	426	---	298	122	409	138	2,124
Split Sent.	M	106	44	87	1	98	13	114	66	255	1	136	96	198	238	1,453
Sup. by P.O.	F	2	2	2	---	1	---	6	4	12	---	7	17	11	7	71
Split Sent.	M	7	9	15	2	40	---	14	46	19	1	181	4	59	93	490
Institution	F	---	---	2	---	---	---	1	2	---	---	3	---	3	2	13
Suspended	M	1,317	556	585	12	1,417	32	782	38	2,070	40	1,456	484	2,242	1,760	12,791
Fines	F	390	52	60	1	126	2	101	7	332	2	136	108	350	145	1,812
Sup. Other	M	52	24	147	8	257	18	231	37	327	1	220	233	254	229	2,038
Mass. Cts.	F	11	1	14	---	39	3	30	4	29	---	23	45	29	22	250
Sup. Other	M	21	35	97	1	89	12	74	7	133	1	52	59	105	96	782
States	F	5	3	8	---	21	---	10	2	26	1	4	8	16	9	113
Sup. Trans.	M	218	37	95	12	160	30	243	41	290	5	354	259	252	259	2,255
Other Cts.	F	21	3	20	---	23	3	29	2	28	---	57	53	31	31	301
Sup. Trans.	M	32	10	51	5	39	7	60	4	45	2	45	24	72	37	433
Other States	F	2	1	4	–	1	---	6	---	2	---	4	7	12	2	41
Informal	M	---	133	105	4	145	19	10	---	76	---	1	19	160	50	822
Cases	F	---	39	75	---	11	3	9	---	39	---	---	9	---	19	204
Total	M	4,708	2,649	6,119	192	10,550	1,116	8,917	2,552	17,447	151	9,329	9,044	17,334	11,610	101,718
	F	896	264	844	21	1,243	96	1,252	263	2,365	15	1,157	1,635	2,019	1,275	13,345
	T	5,604	2,913	6,963	213	11,793	1,212	10,169	2,815	19,812	166	10,486	10,679	19,353	12,885	115,063
Default-less	M	3,551	113	1,083	175	1,199	360	947	1,138	4,532	---	1,152	2,532	8,801	5,568	31,151
than 5 yrs.	F	841	9	131	19	590	27	213	94	459	---	153	570	1,565	1,417	6,088
URESA-from	M	174	113	389	9	483	51	471	69	1,256	---	350	224	555	729	4,871
other states	F	1	1	–	---	---	---	1	1	---	---	---	22	---	1	27
URESA-to	M	170	92	328	15	479	58	479	45	979	---	198	158	265	559	3,825
other states	F	---	---	1	---	---	---	10	---	166	---	---	21	162	---	360

Source: Monthly Reports of Probation Activities

JUVENILES ON PROBATION OR UNDER SUPERVISION IN MASSACHUSETTS ON DECEMBER 31, 1980

Supervised	M	127	140	501	2	310	48	301	415	669	---	356	62	934	559	4,424
Continuance	F	33	31	58	---	68	8	38	52	201	---	52	12	260	82	895
Not Supvsd.	M	163	---	174	4	460	33	290	94	598	10	2,488	65	219	401	4,999
Continuance	F	63	---	29	---	145	5	69	32	113	---	367	10	23	64	920
Formal	M	31	10	2	1	158	11	156	43	443	---	74	40	352	209	1,530
Probation	F	7	---	1	---	32	---	21	8	67	-	11	8	35	25	215
Suspended	M	50	16	120	2	215	27	214	66	352	1	128	33	251	153	1,628
Sentence	F	5	3	10	---	25	1	22	3	23	---	8	3	14	12	129
Suspended	M	40	1	---	3	30	3	422	4	56	---	56	14	547	2	1,178
Fines	F	15	---	---	---	19	---	58	---	8	---	10	4	226	---	340
Sup. Other	M	10	---	13	---	12	---	48	1	39	---	13	9	35	44	224
Mass. Crts.	F	---	1	---	---	8	---	17	---	11	---	3	1	6	13	60
Sup. Other	M	---	-	2	---	5	1	7	--	7	-	7	---	2	2	33
States	F	---	---	---	---	4	---	7	---	1	---	---	1	1	---	14
Sup. Trans.	M	21	---	13	5	25	3	44	---	26	---	27	7	11	89	271
Other Crts.	F	2	---	---	---	14	---	14	---	7	---	7	---	2	8	54
Sup. Trans.	M	3	---	8	---	6	1	11	1	5	---	5	---	4	9	53
Other States	F	-	---	---	---	1	---	---	---	---	---	---	---	1	1	3
Informal	M	---	17	16	2	49	23	19	14	105	---	7	---	76	81	409
Cases	F	---	9	16	---	17	4	3	3	84	---	1	---	41	48	226
Total	M	445	184	849	19	1,270	150	1,512	638	2,300	11	3,161	230	2,431	1,549	14,749
	F	125	44	114	---	333	18	246	98	515	---	459	39	609	253	2,856
	T	570	228	963	19	1,603	168	1,761	736	2,815	11	3,620	269	3,040	1,802	17,605
Default-less	M	10	---	106	---	42	7	39	---	135	---	24	24	178	93	658
thn. 5 yrs.	F	2	---	57	---	19	2	13	-	40	---	9	8	19	15	184
	T	12	---	163	---	61	9	52	---	175	---	33	32	197	108	842

Source: Monthly Reports of Probation Activities

COLLECTIONS OF MONEY UNDER ORDER OF THE COURT (1980)

Counties	Restitution	Uniform Reciprocal Enforcement of Support Act (URESA) Non-Support	From Other States	From Other States	Accommodations	Assessments (DUIL)	Miscellaneous	Total
Barnstable	148,193.99	41,951.00	146,785.93	111,898.51	2,968.00	110,974.75	229,162.92	791,915.10
Berkshire	112,151.05	367,339.15	141,054.77	94,300.29	747,673.12	49,296.00	108,182.25	1,619,996.63
Bristol	243,670.80	267,122.76	326,960.02	279,643.15	5,699.00	229,352.85	360,791.53	1,713,240.11
Dukes	9,451.62	2,250.00	8,416.30	17,335.00	480.00	7,960.00	12,875.00	58,767.92
Essex	383,355.00	439,205.89	366,714.45	333,012.30	24,704.68	315,297.38	575,690.35	2,437,980.05
Franklin	26,507.97	30,760.75	50,303.83	52,003.50	8,010.00	40,532.50	51,066.92	259,185.47
Hampden	291,249.51	561,087.67	340,218.22	312,058.22	104,612.47	193,158.72	313,525.29	2,115,910.10
Hampshire	91,549.40	122,554.56	119,667.23	66,412.70	2,360.47	65,867.00	120,725.00	589,136.36
Middlesex	982,300.70	1,258,466.53	897,049.38	819,913.31	313,912.97	704,420.57	1,149,053.54	6,125,117.00
Nantucket	4,230.65	------	2,183.44	8,585.00	------	3,215.00	1,641.87	19,855.96
Norfolk	464,113.28	209,506.72	394,447.78	265,238.73	28,128.07	277,954.70	353,598.29	1,992,987.57
Plymouth	308,117.00	110,001.84	295,287.10	174,954.81	60,033.33	192,400.00	470,609.14	1,611,403.22
Suffolk	923,648.71	2,045,274.13	260,242.53	356,644.49	184,648.33	147,729.87	940,969.81	4,859,157.87
Worcester	485,662.21	856,921.94	683,726.30	374,900.74	49,025.23	338,665.21	745,525.78	3,534,427.41
TOTAL	$4,474,201.89	$6,312,442.94	$4,033,057.28	$3,266,880.75	$1,532,255.67	$2,676,824.55	$5,433,417.69	$27,727,080.77

Source: Monthly Reports of Probation Activities

ADULT PROBATION ACTIVITIES OF MASSACHUSETTS SUPERIOR COURT (1980)

		Barnstable	*Berkshire*	*Bristol*	*Dukes*	*Essex*	*Franklin*	*Hampden*	*Hampshire*	*Middlesex*	*Nantucket*	*Norfolk*	*Plymouth*	*Suffolk*	*Worcester*	*TOTAL*
Persons Investigated:	M	3	---	---	---	8	---	308	---	1	---	---	613*	167	110	1,210
Appeals*	F	---	---	---	---	1	---	14	---	---	---	---	43	16	10	84
Indictments	M	192	159	652	10	660	87	414	191	289	2	894	259	1,065	618	5,492
	F	12	10	54	2	24	1	34	---	33	---	28	11	60	51	320
Other Mass. Superior Courts	M	1	4	---	---	15	---	2	4	199	---	133	64	98	7	521
	F	---	---	---	---	6	---	---	---	26	---	4	4	15	---	55
Out-of-State Courts	M	---	18	---	---	12	3	15	4	120	---	53	3	42	21	291
	F	---	2	---	---	5	---	2	1	18	---	---	---	6	2	36
New Entries: Appeals	M	---	---	34	---	313	---	507	1	---	---	---	---	---	118	973
	F	---	---	5	---	34	---	46	---	---	---	---	---	---	12	97
Indictments	M	246	65	356	11	107	20	574	10	930	4	415	435	918	386	4,479
	F	18	2	21	5	7	4	53	---	64	---	17	26	63	27	307
Dispositions: No. of Defendants	M	282	141	501	10	558*	39	1,428	105	1,110	12	428	566	1,317	737	7,234
	F	24	15	40	3	30	2	--	5	97	---	32	59	124	69	500
Probation Surrender	M	23	8	99	3	211	12	109	9	83	1	168	21	152	103	1,002
	F	2	---	5	---	20	1	---	1	5	---	10	---	23	9	76
Motions Req Prob. Action Hearing	M	113	100	369	---	277	79	644	194	605	---	287	287	190	468	3,613
	F	3	2	24	---	7	---	---	10	16	---	---	11	19	31	123
Appellate Review Req.	M	12	7	10	---	79	6	79	8	36	---	70	13	49	3	372
	F	---	---	10	---	1	---	---	---	2	---	---	1	3	2	19
TOTAL	M	872	502	2,021	34	2,240	246	4,080	526	3,373	19	2,448	2,261	3,998	2,571	25,191
	F	59	31	159	10	135	8	149	17	261	---	91	155	329	213	1,617
	T	931	533	2,180	44	2,375	254	4,229	543	3,634	19	2,539	2,416	4,327	2,784	26,808

*includes: Hampden, Suffolk and Worcester counties waiver of Grand Jury;, Plymouth County pre-sentencing and intakes

+includes: Hampden and Worcester Counties waiver of Grand Jury; Bristol and Essex Counties indictments by Grand Jury

Source: Monthly Reports of Probation Activities

JUVENILE PROBATION ACTIVITIES
OF SUPERIOR COURT
1980

		Barnstable	*Berkshire*	*Bristol*	*Dukes*	*Essex*	*Franklin*	*Hampden*	*Hampshire*	*Middlesex*	*Nantucket*	*Norfolk*	*Plymouth*	*Suffolk*	*Worcester*	*TOTAL*
Persons Investigated Appeals	M	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	F	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Indictments	M	---	---	---	---	---	---	---	---	---	---	---	---	---	7	7
	F	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Other Crts. (out of state)	M	---	---	---	---	---	---	---	---	---	---	---	---	---	1	1
	F	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
New Entries Appeals	M	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	F	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Indictments	M	---	---	---	---	---	---	---	1	---	---	---	---	---	2	3
	F	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Dispositions No. of Dfndnts	M	---	---	---	---	---	---	---	---	20	---	---	---	5	1	26
	F	---	---	---	---	---	---	---	---	6	---	---	---	---	---	6
Probation Surrender	M	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	F	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Motions Req. Prob. Action Hearing	M	---	---	4	---	---	---	---	---	---	---	---	---	1	---	5
	F	1	---	---	---	1	---	---	---	---	---	---	---	---	---	2
Appellate Review Req.	M	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	F	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
TOTAL	M	---	---	4	---	---	---	---	1	20	---	---	---	6	11	42
	F	1	---	---	---	1	---	---	---	6	---	---	---	---	---	8
	T	1		4		1			1	26				6	11	50

PROBATE COURTS - INVESTIGATIONS 1980

	Barnstable	Bristol	Essex	Hampden	Hampshire Franklin	Middlesex	Norfolk	Plymouth	Suffolk	Worcester	TOTAL
No. Referred	33	173	399	56	86	476	304	3,477	346	246	5,636
No Completed	9	80	330	54	57	172	304	2,849	389	296	4,540
TYPE OF ACTION:											
Divorce	26	122	323	53	58	555	174	507	119	138	2,075
Sep. Support	5	44	66	---	---	77	12	385	10	11	610
Modification	1	2	---	---	10	6	65	243	30	87	444
Contempt	---	---	---	---	15	1	22	1,615	24	6	1,883
Guardianship	---	---	4	3	---	3	15	---	27	1	53
Adoption	---	1	---	---	---	3	5	---	9	---	18
Other	---	2	6	---	3	3	11	727	167	3	922
TOTAL	33	173	399	56	86	476	304	3,477	346	246	5,636
REASONS FOR REFERRAL:											
Custody	25	93	216	52	41	269	172	259	110	183	1,420
Visitation	2	27	119	4	32	130	55	514	90	44	1,017
Support	---	1	34	---	8	8	33	2,393	28	19	2,524
Vacate	---	---	8	---	---	21	8	67	4	---	108
Other	6	50	19	---	5	48	34	244	154	---	570
TOTAL	33	173	399	56	86	476	304	3,477	346	246	5,636

Source: Monthly Reports of Probation Activities

PROBATE COURTS - MEDIATION 1980

	Barnstable	Bristol	Essex	Hampden	Hampshire Franklin	Middlesex	Norfolk	Plymouth	Suffolk	Worcester	TOTAL
No. Referred	479	2,401	88	605	513	701	2,537	548	---	220	7,613
No Completed	479	2,245	88	587	222	723	2,537	491	---	240	7,152
TYPE OF ACTION:											
Divorce	139	370	65	605	289	581	1,276	38	---	74	3,437
Sep. Support	---	434	19	---	8	77	56	163	---	---	757
Modification	33	635	1	---	63	3	113	70	---	106	1,024
Contempt	260	415	3	---	140	2	1,027	178	---	40	2,065
Guardianship	---	49	---	---	---	9	5	---	---	---	63
Adoption	---	14	---	---	1	2	4	---	---	---	21
Other	47	437	---	---	11	27	41	1	---	---	564
TOTAL	479	2,401	88	605	513	701	2,537	548	---	220	7,613
REASONS FOR REFERRAL:											
Custody	13	281	21	32	159	358	132	20	---	8	1,024
Visitation	16	583	37	165	172	214	287	167	---	93	1,734
Support	429	842	21	363	172	2	1,912	289	---	---	4,030
Vacate	4	55	3	---	5	86	53	21	---	---	227
Other	16	640	---	45	3	41	153	51	---	---	949
TOTAL	479	240	88	605	513	701	2,537	548	---	220	7,613

Source: Monthly Reports of Probation Activities

PROBATE COURTS - Money Collections

	Barnstable	Bristol	Essex*	Hampden	Hampshire
Payments to Parties:					
Existing Accts.	570,277.27	365,120.90	672,413.14	1,481,021.67	127,861.63
New Accounts		13,830.61	6,909.50	19,928.54	1,055.00
TOTAL	570,277.27	378,951.51	1,255,025.42	1,500,950.21	128,916.63
Payments to DPW:					
Existing Accts.	219,208.62	33,282.20	227,780.37	1,072,175.98	103,226.28
New Accounts	---	9,020.00	4,267.00	15,541.85	388.35
TOTAL	219,208.62	42,302.20	401,188.04	1,087,717.83	103,614.63
Monies Monitored for Parties:					
Existing Accts.	44,239.56	---	others	20,362.88	---
New Accounts	---	---	---	2,607.12	20.00
TOTAL	44,239.56	---	1,943.00	22,970.00	20.00
Monies Monitored for DPW:					
Existing Accts.	---	79,081.01	---	---	---
New Accounts:	---	9,925.00	---	---	---
TOTAL	---	43,006.01	---	---	---
TOTAL	833,725.45	464,259.72	1,658,156.46	2,611,638.04	232,551.26

* Complete data not available from Essex and Middlesex Probate Probation offices.

Source: Monthly reports of Probation activities.

PROBATE COURTS - Money Collections

Middlesex *	Norfolk	Plymouth	Suffolk	Worcester	TOTAL
3,709,311.65	---	2,270,156.62	---	596,643.12	---
---	---	---	---	15,231.50	---
5,188,756.44	---	2,270,156.62	---	611,874.62	11,904,908.72
1,434,405.42	---	714,398.10	---	314,170.31	---
---	---	---	---	10,432.00	---
1,817,606.49	---	714,398.10	---	324,602.31	4,710,630.22
---	1,868,526.42	---	740,242.71	816,267.23	---
---	45,397.48	---	10,097.00	41,986.00	---
---	1,913,923.90	---	750,339.71	858,253.23	3,591,689.40
---	438,158.74	---	254,956.45	801,868.18	---
---	18,492.50	---	4,909.00	38,869.00	---
---	456,651.24	---	259,865.45	840,737.18	1,600,259.88
7,006,362.93	2,370,575.14	2,984,554.72	1,010,205.16	2,635,467.34	21,807,496.22

COST OF PROBATION SERVICE IN MASSACHUSETTS
(July 1, 1979-June 30, 1980)

	Office of Commissioner	Supervisor Superior Court Probation Service	District Boston Municipal Juvenile Probation Service	Total
Administrative Salaries	317,138.70	53,582.51		370,721.21
Salaries Of Permanent Probation Officers		2,598,513.12	14,203,520.27	16,802,033.39
Salaries Of Pro Tem Probation Officers		10,341.36	156,396.36	166,737.72
Salaries Of Clerical Staff	962,824.69	1,139,494.77	5,271,087.33	7,373,406.79
Federal Grants	139,008.73			139,008.73
Retroactive Step Raises	2,505.35		24,750.17	27,255.52
All Other Expenditures**	216,965.07	152,939.63	1,182,090.08	1,551,994.78
TOTAL EXPENDITURES	1,638,442.54	3,954,871.39	20,837,844.21	26,431,158.14

Cost per Probationer: $381.30 (based on 69,319 probationsers as of June 30, 1980 - straight probation, suspended sentence and continued under formal supervision)

*Probate and Family Court Probation Services annual costs ($2,157,288.20) are not included in the total, inasmuch as the Cost per Probationer is based on criminal and delinquency activities in the Superior, District, Boston Municipal and Juvenile Court Departments.

** ESTIMATED

OFFICE OF THE JURY COMMISSIONER FOR MIDDLESEX COUNTY

"The policy of this Chapter shall be to guarantee that each grand and trial jury be selected from a fair and randomly drawn cross-section of the population obtained from source lists of the broadest possible base; without class exemptions; without discrimination at any stage of the selection process; with a minimum length of juror service; with minimum financial hardship and inconvenience imposed upon the juror; with flexible, efficient, and modern administration that is responsive to jurors' needs and comforts -- all to the end that the highest quality of jury verdicts will be attained and citizens serving as jurors will acquire a heightened appreciation of the judicial system."

The above quote is Section 1 of the proposed bill authorizing the expansion of the Middlesex jury system to other counties of the Commonwealth.

On July 13, 1977, Massachusetts enacted a comprehensive modernization of the juror selection and management system in Middlesex County. This legislation is embodied in Massachusetts General Laws, Chapter 234A. The Office of Jury Commissioner for Middlesex County was established under the Act for the purposes of implementing and administering the new legislation. On January 1, 1979, the new system became operational in Middlesex County. This report covers the operations of the Middlesex County jury system during the years 1979 and 1980. The Middlesex jury system includes all jury-trial locations in the county, namely Cambridge Superior Court, Cambridge District Court, Lowell Superior Court, Lowell District Court, and Framingham District Court.

There are four goals of the Middlesex system. The first goal is to improve the quality of jury verdicts by requiring that juror pools be more representative of the population. All class exemptions are abolished. The statute implements the strict policy that every person who is mentally and physically able must perform juror service when summoned for that purpose. Middlesex juries are composed of persons from all walks of life including doctors, nurses, lawyers, clergy, homemakers, legislators, police, firefighters, public officials, executives, laborers, teachers, students, judges, senior citizens, and young persons. Citizens are randomly selected by computer from resident or census lists prepared annually by the cities and towns.

The second goal is to minimize inconvenience and hardship on jurors and employers. Upon receipt of summons, a juror has the right to postpone juror service to any date within the coming year. The length of juror service has been reduced to the minimum "one-day or one-trial." If assigned to a trial during the first day of service, the juror must complete the trial. If not assigned to a trial during the

first day, the juror is discharged. Most jury trials do not last longer than three days. Ninety-five percent of Middlesex jurors complete juror service in three days or less. Eighty-two percent complete juror service on the first day. Jurors who have not been assigned to a case are discharged at lunch time on their first day of service unless the jurors have been specially reserved for possible impanelling during the afternoon. Most Middlesex jurors are placed on stand-by status. This is the "fine tuning" of the system. Jurors telephone the courthouse after 3:00 p.m. on the court day preceding their first day of service. When there is no foreseeable need for all of the jurors scheduled to appear on the following court day, an appropriate number of jurors are discharged over the telephone via a recorded message on an answering machine. Approximately ten days prior to appearance, each juror receives a handbook in the mail. The handbook contains a reminder of the date, place, and time for which the juror is scheduled; maps and directions to each courthouse; practical information on court hours; appropriate dress; emergency telephone numbers; and instructions on the duties and responsibilities of a juror.

The third goal is to reduce the cost of administering the jury system and to spread these costs more equitably in the public and private sectors. Total costs of juror compensation during the first year of the Middlesex system decreased 64 %. The reason for this dramatic reduction is that there is a new method of financing juror compensation in the Middlesex statute. The law requires each employer to pay regular wages to an employee serving as a juror during the first three days of service. A juror who is not employed is reimbursed for out-of-pocket expenses during the first three days of service. For the fourth day and subsequent days of service, all jurors are paid by the state at the rate of forty dollars per day. Since 95 % of Middlesex jurors complete juror service within three days, the costs of compensating these jurors are assumed in large part by employers and the jurors themselves. Most jurors and employers do not object because they recognize that the term of juror service is as short as possible and the court makes every effort to expedite the service. On the average, a juror will be away from work or his daily routine only one day per decade. Because of the elimination of class exemptions and the shortening of juror service, the costs of juror service are spread over a much larger base. During 1979 and 1980, 71,559 citizens performed juror service in Middlesex County. A substantial number of these citizens were from the public sector (state and local levels), professionals, homemakers, students, etc. These groups of citizens are under-represented in the traditional jury system. As a result of their participation, the financial burden on the remainder of the community has been reduced. Thus, the estimated per-capita cost per employee on industry has decreased in Middlesex County.

The fourth goal is to increase public participation in the judicial system. It has long been recognized that citizens have a better understanding of the judicial branch after performing juror service. The Middlesex system uses this axiom to the fullest degree. Approximately 5% of the eligible population are summoned each year. The entire eligible population will serve in twenty to twenth-five years. The goal is not merely to summon citizens but also to provide them with meaningful public service and a heightened appreciation of the judicial system. A study of the responses of Middlesex jurors to exit questionnaires conducted by a graduating student Philip L. Sunshine, April, 1980, who also made helpful suggestions on the content of the annual report, of Harvard Law School states:

"In conclusion, this part of the questionnaire indicated that service as a juror does increase respect for the judicial system. This is so because of increased knowledge via participation, enthusiasm flowing from the satisfactory performance of what is perceived to be an important civic duty, and a surprisingly efficient and effective management scheme."

The Middlesex jury system, impossible yesterday, is possible today because of new technology and managerial capacity available to the courts. Data processing is the foundation of the system. The Middlesex system was the first major data-processing application implemented in the Massachusetts courts. It was designed and implemented entirely by court personnel. During the past two years, all of the computer programming and forms design were accomplished. This technology was developed for the selection stage at the city and town level and for the scheduling and management stage at the judicial level. Educational conferences were held with city and town officials and with court personnel. Procedures were developed for handling new jurors each day. These include summoning, scheduling, attendance, orientation, payment, etc. A juror handbook was written. A videotape for juror orientation was produced by court personnel. A public education program was conducted. A high school program was developed in conjunction with a professor from Harvard University. This program features a simulated trial on videotape which students view and deliberate on as mock jurors.

The Middlesex system generates a high number of phone calls from jurors. The Office of Jury Commissioner handles approximately 500 phone calls per week. Most of these calls are requests for last-minute scheduling changes as to appearance date or court location. The remainder are inquiries about the system or jurors responding to delinquency notices. The rescheduling policy is most liberal. The objective is to permit the juror to serve at a time most convenient to him or her and at a location which will not cause undue hardship. Because of the energy crisis, the scheduling of court locations has become as difficult as the scheduling of appearance dates. While the juror is on the line, the scheduler displays a synopsis of the juror's previous transactions on the computer terminal. The juror's request is granted as a matter of courtesy and convenience unless the prior transactions reveal an abuse of the rescheduling privilege. More often than not, the juror expresses astonishment at how "easy" it is to reschedule. The computer reschedules the juror and issues a written confirmation of the new date or court location. It is a strict policy that no jurors are excused from serving by phone. The only exception to this policy is where requiring an excuse letter would cause hardship on a senior citizen.

The success of the Middlesex jury system is the result of the contributions of many individuals in the Massachusetts Courts. The Jury Management Advisory Committee has provided guidance and direct assistance virtually on a daily basis. The Supreme Judicial Court has supervised the Office of Jury Commissioner on major policy decisions and in the promulgation of regulations. The Office of the Chief Administrative Justice and the staff of the Data Processing Center provide data processing capacity and assist regularly in daily operations. The Chief Justice of the Superior Court and the Chief Justice of the District Court have provided energetic support and leadership. The project could not have been launched nor would it have thrived without the generous support of the Clerk of Courts for Middlesex County. The individuals who most influence jurors are judges and court personnel. So it is with the jury system itself. Its success depends on the enthusiasm and courtesy of court personnel in the administrative office, the juror pools, and the courtrooms throughout the county. The Middlesex system has been warmly received within the court community. The willingness of court personnel to modernize the jury system has turned out to be one of the strongest assets of the program.

The cornerstone of the Middlesex jury system is the annual compilation of the county-wide source list from which jurors are randomly drawn. Each year, each city and town of the county provides an updated list of all adult residents. Frequently, this list is in the form of a magnetic tape which can be read directly by the computer. It is a noteworthy achievement that all fifty-four cities and towns provided resident lists during the first year of implementation with short notice and new technical regulations to be complied with. This achievement was repeated during the second year of implementation despite additional demands imposed by federal and state elections and the decennial federal census. It has been said that the judicial component of the juror system is but the tip of the iceberg. There is much truth in this observation. The success of a modern juror-selection system cannot occur without the cooperation and competence of officials at the local level. The Middlesex system has been fortunate indeed in this regard.

The Middlesex jury system is being watched at state and national levels. The project has been the subject of frequent newspaper and television articles and editorials throughout the Commonwealth. It was the subject of a national television special report. The Office of Jury Commissioner is administering an LEAA Demonstration Grant on improved juror utilization and management. The office works cooperatively with the Center for Jury Studies and the National Center for State Courts. The office also works cooperatively with the Federal District Court in Massachusetts. At present, there is legislation pending in at least three other states modeled in part on the Middlesex system.

A comprehensive bill authorizing the expansion of the Middlesex jury system has been submitted to the Legislature. The bill provides that expansion into new counties will occur in a phased implementation under the control of the Supreme Judicial Court. The bill has been approved by the Jury Management Advisory Committee and endorsed by the Judicial Conference. It is being reviewed by the Judicial Council. The bill has been forwarded to other interested organizations and individuals. Based on the experience of previous years, it is anticipated that the expansion bill will receive widespread support.

There is substantial opposition to the expansion of the Middlesex jury system. It is believed this opposition is predicated on two major objections. First, Middlesex jurors are typically younger and more likely to be college-educated. Second, Middlesex jurors are "green" or "inexperienced," i.e., they are

serving on their first jury (since the term of service is limited to not more than one case). It is expoused by some that these factors produce jurors who tend to be naive – jurors who may not fully appreciate the seriousness of certain criminal and civil cases. In rebuttal, the Middlesex system makes no assumptions nor judgments about the ability of certain classes of individuals to render just verdicts. The system implements as strictly as possible the constitutional standard that jurors shall be drawn from a fair cross-section of the population. The quality of jury verdicts is measured solely by the integrity of the process of selection. Nevertheless, it is interesting to note that the conviction rate increased one point during 1979 based on data provided by the District Attorney's Office for Middlesex County. The conviction rate decreased seven points during 1980. If the conviction rate were related to the juror-selection system, there would have been a dramatic decrease in the conviction rate during 1979 (the first year of implementation of the new system) rather than the one-point increase. Those issues will be vigorously debated by those who will be considering the expansion of the Middlesex system.

In a recent case, *Commonwealth vs. Bastarache*, 80 Mass. A. S. 2465; 414 N.E. 2d 984 (1980), the Supreme Judicial Court underscored the need for improving juror-selection methods throughout the Commonwealth. The Court stated:

"We, therefore, ask the Attorney General of the Commonwealth, with the assistance of others of his own choosing, to prescribe procedures for the compilation of jury lists in those cities and towns that are now using a substantially random selection process. In some instances, it may be appropriate to suggest that jury lists be completely reconstituted as soon as is practicable. In other cases, change in present practices may fairly take place as new annual recompilations of jury lists are made. Of course, the Legislature may determine to expand the principles of the Middlesex County jury system, or some modification of it, to other counties in the Commonwealth. In any event, prompt attention should be given to this matter. After the passage of a reasonable time, judges of the Commonwealth should look with favor on proven claims that the jury lists from which grand and particularly petit jurors are derived were not compiled by a substantially random process, subject, of course, to appropriate statutory exemptions."

The Attorney General has formed a small group of individuals, each of whom has a unique perspective on juror selection procedures, to advise him on the issues discussed in the *Bastarache* case. The Jury Commissioner for Middlesex County is participating in this advisory group.

The *Bastarache* case calls attention to the need for random selection of jurors. Random selection is more than merely random summoning. For example, summonses may be sent to individuals in the community selected at random. However, the incidents of juror service may be so harsh that a substantial percentage of those summoned must be excused from serving. The result is that those who ultimately appear for service in the juror pool are substantially non-random. While no selection system is perfect (in the mathematical sense), the integrity of any random-selection process must be measured by the cross-sections of the citizens who appear for juror service rather than by the cross-sections of citizens to whom summonses have been sent.

With all incidents of random selection in mind, the Middlesex system strives to make the performance of juror service as "easy" as possible. The term of service is the shortest possible. The scheduling of appearance dates is most flexible. The financial provisions are specifically intended to avoid imposition of financial hardship. The juror is treated respectfully and courteously. Moreover, the qualifying system is administered strictly and uniformly. This system is regularly monitored, and there are ample enforcement provisions. The summonses contain a notice of possible penalties, and any individual who does not respond to a summons within 15 days automatically is sent a second summons. A delinquency notice, again containing notice of possible penalties, is sent to any juror who does not appear for service as scheduled. This delinquency notice requires the juror to telephone the Office of Jury Commissioner to correct any mistake in the records, if any, or to reschedule juror service. Thus, many of the components of the Middlesex system are inextricably linked together in quest of producing the most representative juror pools in the nation.

During its first two years, the principal objective of the Office of Jury Commissioner was to demonstrate the feasibility of the Middlesex jury system. Currently, the principal objective of the office is to be prepared to expand the system to other counties. The major internal task in preparation for expansion is the reprogramming of the entire jury system for the Burroughs 6800 computer. The B6800 has been newly acquired by the Data Processing Center of the Trial Court. The B6800 has

adequate capacity to handle the statewide on-line jury system. The reprogramming task is now under way. The goal is to have the Middlesex system operating on the B6800 by January 1, 1982.

In conclusion, the basic tenets of the Middlesex jury system are simply stated. Citizen participation in jury verdicts is an essential safeguard of fairness and impartiality in our American system of justice. Citizens gain a heightened appreciation of the judicial system through participation as jurors. Modern technology and management reduce costs of the administration of the jury system. Juror service is interesting and meaningful. This last theme was stated aptly by a justice in his welcoming address to Middlesex jurors:

"The great majority of you will sit as jurors today. You will hear a case and determine it. I'm sure you will find that a very interesting and rewarding experience. That has been the almost universal experience of those who have sat as jurors. It's interesting to see how the system works. It's interesting to see how lawyers bring out the strengths and the weaknesses of both sides of the controversy in order that the jury may be in a position to find where the truth lies. . . . It must be interesting to see how the system works to resolve all those differences as jurors, in good faith and in charity toward one another, and to hear each other out and come to a meeting of the minds. In that way the jurors exercise the conscience of the community in order to achieve a fair and just result. That has to be an interesting experience."

The remainder of this report presents various data on demography, finances, and juror utilization and management which provide quantitative measures for evaluating the Middlesex jury system. Also, there is a section on conviction rates experienced under the Middlesex system.

DEMOGRAPHIC ANALYSES

Prior to the enactment of Chapter 234A, the Chief Justice of the Superior Court predicted the Middlesex juror-selection system would produce "mirror-image cross-sections" of the population. Having completed two years of operation of the Middlesex system, the time is ripe to examine some actual cross-sections.

Statistical measures and methods are sought which will enable fair evaluations of the Middlesex juror-selection system. Moreover, the Office of Jury Commissioner is attempting to develop measures and standards that will apply to juror-selection and management systems generally.

The summoning process under the Middlesex system is "purely" random. Prospective jurors are selected from the most inclusive population lists. However, every other step in the selection and scheduling process is somewhat non-random. Older persons are excused from performing juror service because of medical disabilities more readily than younger persons. Older persons tend to postpone juror service to the spring and fall in order to avoid the extremes of weather. Teachers and students tend to postpone juror service to periods when schools are not in session. In an era of the energy crisis, increasingly more individuals seek to perform juror service at the court location closest to their homes. These non-random aspects make the system flexible and accommodating to jurors' needs. They are an integral and essential part of the system. They contribute substantially to the public's satisfaction with the Middlesex system. Despite the dynamic non-random aspects of the Middlesex system, it is believed that the demographic cross-sections are the finest in the nation. The final judgment is left to you, our reader, as to how "mirror-like" the cross-sections are.

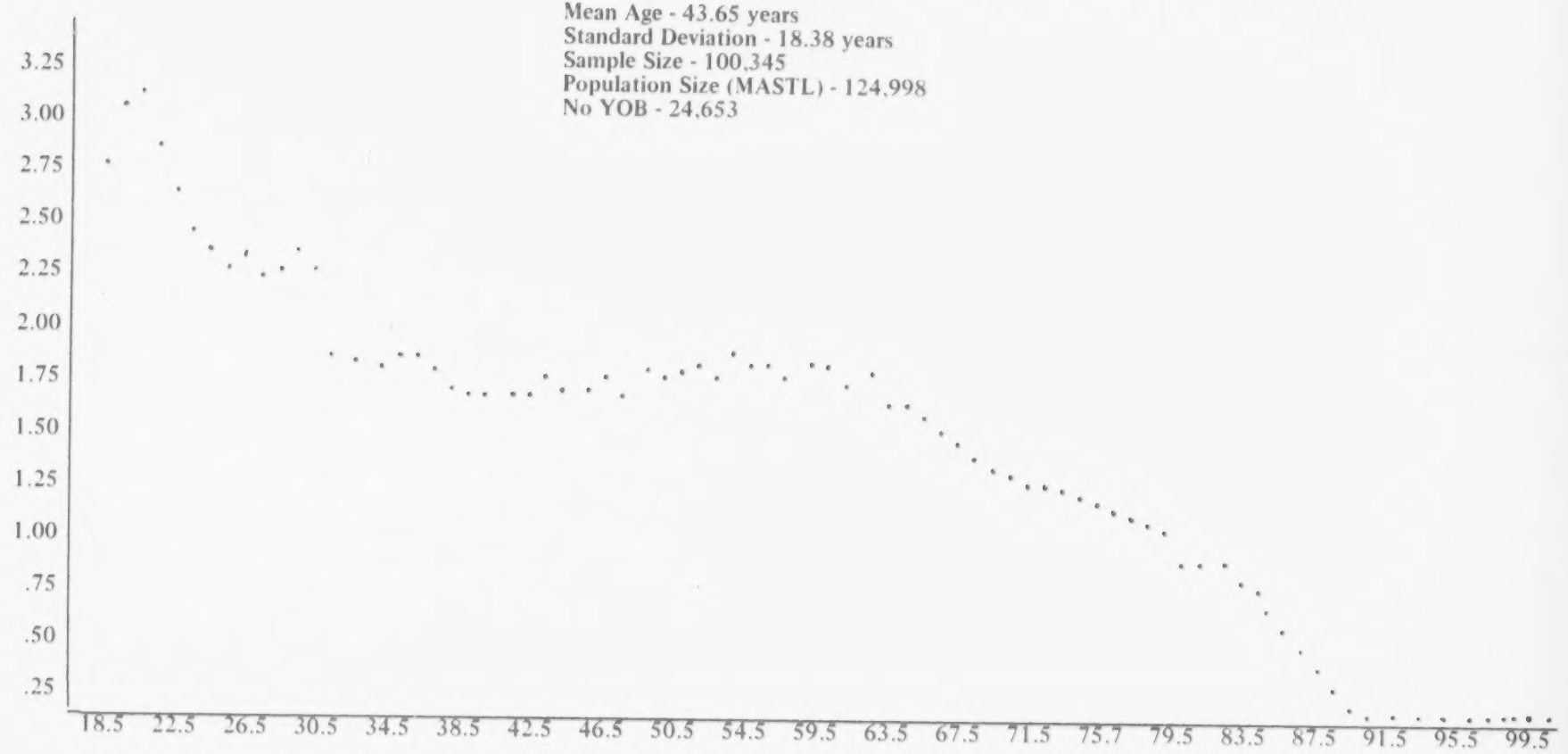
Figures I and III, entitled "MASTL-79" and "MASTL -80", respectively, contain analyses of the 1979 and 1980 Master Juror Lists. These lists are purely random samples of the residents of the county who are eighteen years of age or older, hereafter called "adult residents." Because the sample size is so large, roughly one in ten, the statistical properties of the master list are virtually identical to those of the county. It is assumed the master list is an exact representation of the county. Thus, Figure I shows the mean age of adult residents of the county to be 43.65 years, and Figure III shows the same mean age to be 43.56 years.

In Figures I and III, the first column, entitled "AGE," contains age brackets; persons who are between 18 and 19 years old are contained in the 18.5 bracket, and so on. The second column contains a histogram of the percentages of the adult population for each age bracket. The histogram should be viewed with the long side horizontal; age brackets should increase from left to right. In Figure I, the 18.5 age bracket comprises 2.75% of the adult population.

The histograms in Figures I and III are exact pro-

MIDDLESEX COUNTY CROSS SECTION POPULATION
AGE OVER 18

FIGURE I: MASTL-79

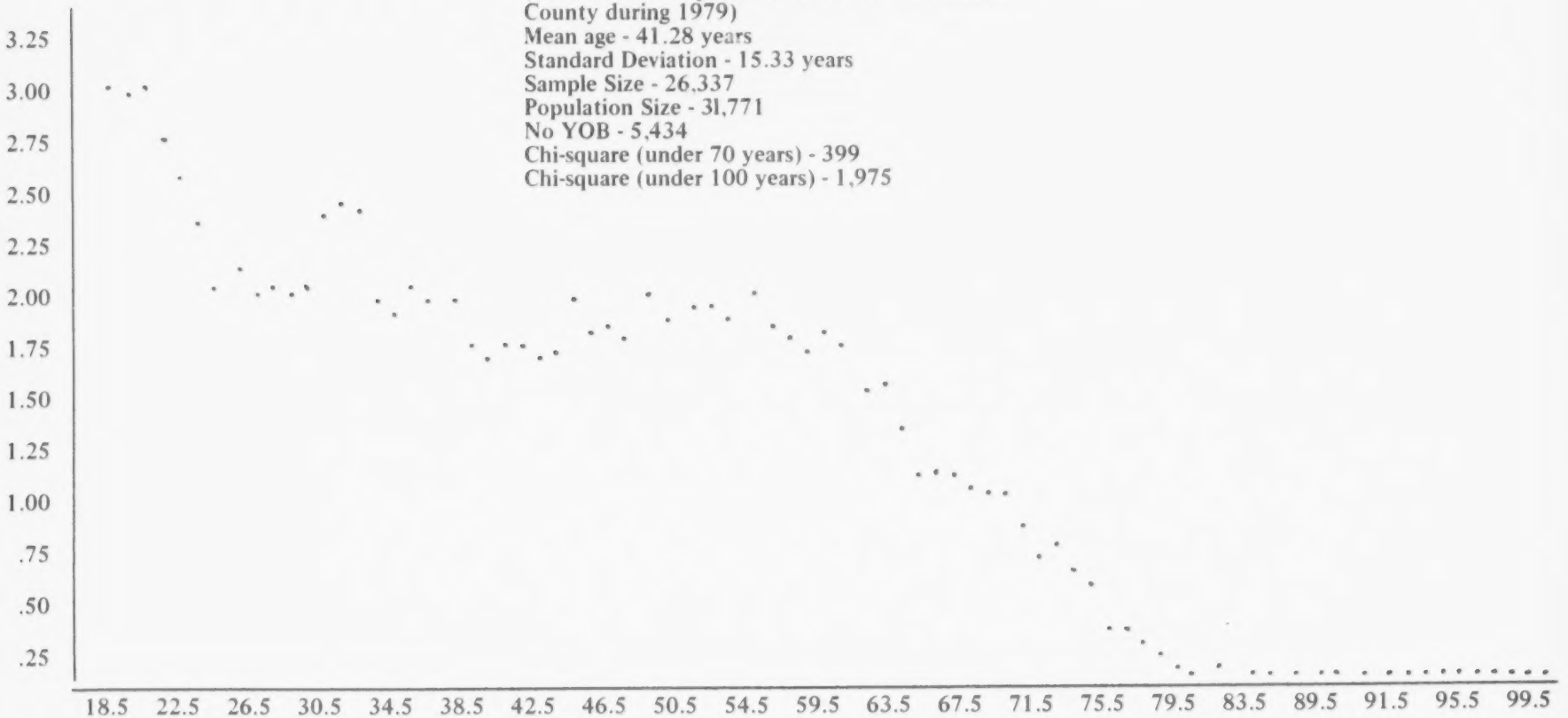


Age	Frequency	Percent	Cumulative	Age	Frequency	Percent	Cumulative
18.5	2,761	2.752	2.75	59.5	1,353	1.348	78.81
19.5	3,090	3.079	5.83	60.5	1,387	1.382	80.19
20.5	3,134	3.123	8.95	61.5	1,238	1.234	81.42
21.5	2,865	2.855	11.81	62.5	1,188	1.184	82.61
22.5	2,703	2.694	14.50	63.5	1,135	1.131	83.74
23.5	2,440	2.432	16.93	64.5	1,120	1.116	84.85
24.5	2,312	2.304	19.24	65.5	1,109	1.105	85.96
25.5	2,256	2.248	21.49	66.5	1,032	1.028	86.99
26.5	2,279	2.271	23.76	67.5	996	.993	87.98
27.5	2,159	1.152	25.91	68.5	934	.931	88.91
28.5	2,076	2.069	27.98	69.5	878	.875	89.79
29.5	2,096	2.089	30.07	70.5	875	.872	90.66
30.5	2,245	2.237	32.30	71.5	831	.828	91.49
31.5	2,292	2.284	34.59	72.5	810	.807	92.29
32.5	2,150	2.143	36.73	73.5	745	.742	93.04
33.5	1,825	1.819	38.55	74.5	705	.703	93.74
34.5	1,710	1.804	40.25	75.5	731	.728	94.47
35.5	1,878	1.872	42.13	76.5	634	.632	95.10
36.5	1,874	1.868	43.99	77.5	622	.620	95.72
37.5	1,669	1.663	45.66	78.5	438	.436	96.15
38.5	1,569	1.564	47.22	79.5	443	.441	96.60
39.5	1,517	1.512	48.73	80.5	444	.442	97.04
40.5	1,516	1.511	50.24	81.5	396	.395	97.43
41.5	1,460	1.455	51.70	82.5	399	.388	97.82
41.5	1,411	1.406	53.10	83.5	390	.389	98.21
43.5	1,529	1.524	5 63	84.5	294	.293	98.50
44.5	1,488	1.483	56.11	85.5	249	.248	98.75
45.5	1,441	1.436	57.55	86.5	238	.237	98.99
46.5	1,513	1.508	59.05	87.5	203	.202	99.19
47.5	1,478	1.473	60.53	88.5	184	.183	99.37
48.5	1,626	1.620	62.15	89.5	149	.148	99.52
49.5	1,517	1.512	63.66	90.5	100	.100	99.62
50.5	1,566	1.561	65.22	91.5	85	.085	99.71
51.5	1,611	1.605	66.83	92.5	74	.074	99.78
52.5	1,501	1.496	68.32	93.5	69	.069	99.85
53.5	1,647	1.641	69.96	94.5	50	.050	99.90
54.5	1,557	1.552	71.51	95.5	27	.027	99.93
55.5	1,504	1.599	73.01	96.5	28	.028	99.95
56.5	1,473	1.468	74.48	97.5	26	.026	99.98
57.5	1,533	1.528	76.01	98.5	12	.012	99.99
58.5	1,454	1.449	77.46	99.5	9	.009	100.00

MIDDLESEX COUNTY JURORS SERVED 1979

FIGURE II: JURORS-79

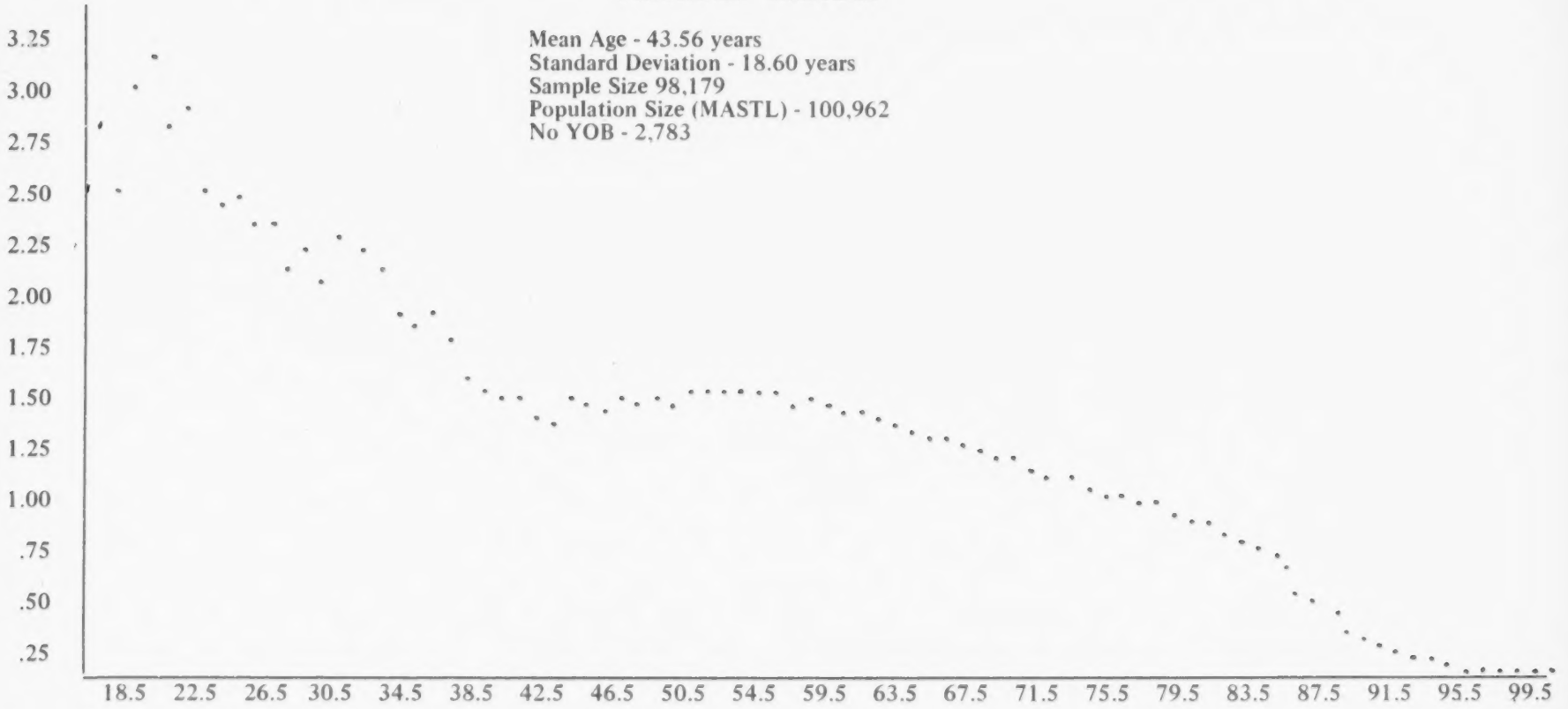
(Cross-section of jurors who served in Middlesex County during 1979)
Mean age - 41.28 years
Standard Deviation - 15.33 years
Sample Size - 26,337
Population Size - 31,771
No YOB - 5,434
Chi-square (under 70 years) - 399
Chi-square (under 100 years) - 1,975



Age	Frequency	Percent	Cumulative	Age	Frequency	Percent	Cumulative
18.5	798	3.030	3.03	53.5	555	2.107	76.22
19.5	764	2.901	5.93	54.5	491	1.864	78.08
20.5	815	3.095	9.03	55.5	469	1.781	79.86
21.5	724	2.749	11.77	56.5	453	1.720	81.58
22.5	681	2.586	14.36	57.5	491	1.864	83.45
23.5	615	2.335	16.70	58.5	477	1.811	85.26
24.5	558	2.119	18.81	59.5	387	1.469	86.73
25.5	576	2.187	21.00	60.5	392	1.468	88.21
26.5	541	2.054	23.06	61.5	352	1.337	89.55
27.5	550	2.088	25.14	62.5	298	1.131	90.68
28.5	527	2.001	27.14	63.5	299	1.135	91.82
29.5	538	2.043	29.19	64.5	275	1.044	92.86
30.5	607	2.305	31.49	65.5	245	.930	93.79
31.5	639	2.426	33.92	66.5	246	.934	94.73
32.5	626	2.377	36.29	67.5	218	.828	95.55
33.5	519	1.971	38.27	68.5	189	.718	96.27
34.5	499	1.895	40.16	69.5	150	.570	96.84
35.5	554	2.104	42.26	70.5	160	.608	97.45
36.5	539	2.047	44.31	71.5	120	.456	97.90
37.5	532	2.020	46.33	72.5	117	.444	98.35
38.5	490	1.861	48.19	73.5	75	.285	98.63
39.5	465	1.766	49.96	74.5	77	.292	98.93
40.5	477	1.811	51.77	75.5	71	.270	99.20
41.5	469	1.781	53.55	76.5	49	.186	99.38
42.5	451	1.712	55.26	77.5	36	.137	99.52
43.5	461	1.750	57.01	78.5	41	.156	99.67
44.5	502	1.906	58.92	79.5	24	.091	99.76
45.5	488	1.853	60.77	80.5	12	.046	99.81
46.5	493	1.872	62.64	81.5	12	.046	99.86
47.5	482	1.830	64.46	82.5	11	.042	99.90
48.5	542	2.058	66.53	83.5	8	.030	99.93
49.5	493	1.872	68.40	84.5	11	.042	99.97
50.5	504	1.914	70.32	85.5	2	.008	99.98
51.5	504	1.914	72.23	86.5	3	.011	99.99
52.5	495	1.879	74.11	87.5	2	.008	100.00
				88.5	1	.004	100.00

CROSS SECTION RESIDENTS - MIDDLESEX COUNTY
AGE 18 AND OLDER

FIGURE III: MASTL-80



MASTL - 1980

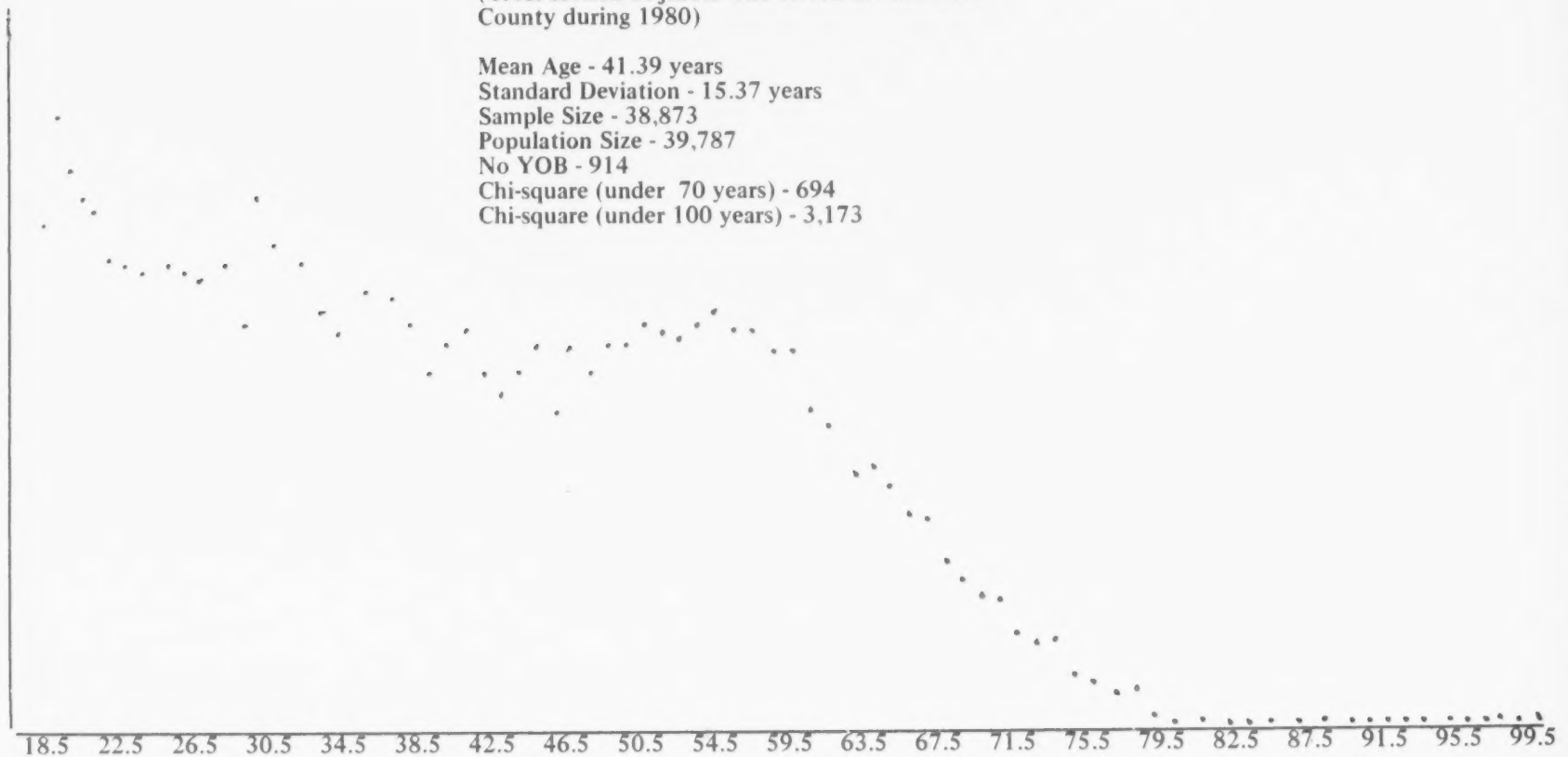
Age	Frequency	Percent	Cumulative	Age	Frequency	Percent	Cumulative
18.5	2,501	2.547	2.5	59.5	1,338	1.363	78.3
19.5	3,037	3.093	5.6	60.5	1,260	1.283	79.6
20.5	3,140	3.198	8.8	61.5	1,247	1.270	80.8
21.5	2,815	2.867	11.7	62.5	1,177	1.199	82.0
22.5	2,840	2.893	14.6	63.5	1,142	1.163	83.2
23.5	2,538	2.585	17.1	64.5	1,083	1.103	84.3
24.5	2,364	2.408	19.5	65.5	1,073	1.093	85.4
25.5	2,379	2.423	22.0	66.5	995	1.013	86.4
26.5	2,315	2.358	24.3	67.5	986	1.004	87.4
27.5	2,317	2.360	26.7	68.5	952	0.970	88.4
28.5	2,123	2.162	28.9	69.5	950	0.968	89.3
29.5	2,187	2.228	31.1	70.5	908	0.925	90.3
30.5	1,970	2.007	33.1	71.5	847	0.863	91.1
31.5	2,269	2.311	35.4	72.5	782	0.797	91.9
32.5	2,185	2.226	37.6	73.5	807	0.822	92.8
33.5	2,075	2.113	39.7	74.5	712	0.725	93.5
34.5	1,770	1.803	41.5	75.5	674	0.687	94.2
35.5	1,657	1.688	43.2	76.5	640	0.652	94.8
36.5	1,801	1.834	45.1	77.5	588	0.599	95.4
37.5	1,742	1.774	46.8	78.5	579	0.590	96.0
38.5	1,540	1.569	48.4	79.5	445	0.453	96.5
39.5	1,405	1.431	49.8	80.5	420	0.428	96.9
40.5	1,388	1.414	51.2	81.5	416	0.424	97.3
41.5	1,385	1.411	52.7	82.5	374	0.381	97.7
42.5	1,314	1.338	54.0	83.5	347	0.353	98.0
43.5	1,289	1.313	55.3	84.5	312	0.318	98.4
44.5	1,384	1.410	56.7	85.5	261	0.266	98.6
45.5	1,340	1.365	58.1	86.5	227	0.231	98.9
46.5	1,307	1.331	59.4	87.5	213	0.217	99.1
47.5	1,408	1.434	60.8	88.5	175	0.178	99.3
48.5	1,362	1.387	62.2	89.5	168	0.171	99.4
49.5	1,424	1.450	63.7	90.5	121	0.123	99.5
50.5	1,386	1.412	65.1	91.5	119	0.121	99.7
51.5	1,497	1.525	66.6	92.5	53	0.054	99.7
52.5	1,489	1.517	68.1	93.5	64	0.065	99.8
53.5	1,401	1.427	69.6	94.5	47	0.048	99.8
54.5	1,469	1.496	71.1	95.5	31	0.032	99.9
55.5	1,470	1.497	72.6	96.5	29	0.030	99.9
56.5	1,461	1.488	74.0	97.5	27	0.028	99.9
57.5	1,411	1.437	75.5	98.5	15	0.015	99.9
58.5	1,405	1,431	76.9	99.5	15	0.015	100.0

MIDDLESEX COUNTY JURORS - 1980

FIGURE IV: JURORS - 80

(Cross-section of jurors who served in Middlesex County during 1980)

Mean Age - 41.39 years
Standard Deviation - 15.37 years
Sample Size - 38,873
Population Size - 39,787
No YOB - 914
Chi-square (under 70 years) - 694
Chi-square (under 100 years) - 3,173



JURORS - 1980

Age	Frequency	Percent	Cumulative	Age	Frequency	Percent	Cumulative
18.5	984	2.531	2.51	59.5	643	1.654	85.97
19.5	1,128	2.902	5.43	60.5	570	1.466	87.44
20.5	1,054	2.711	8.14	61.5	543	1.397	88.83
21.5	1,048	2.696	10.84	62.5	475	1.222	90.05
22.5	1,012	2.603	13.47	63.5	483	1.243	91.30
23.5	924	2.377	15.82	64.5	457	1.176	92.47
24.5	896	2.305	18.12	65.5	400	1.029	93.50
25.5	889	2.287	20.41	66.5	374	0.962	94.46
26.5	898	2.310	22.72	67.5	328	0.844	95.31
27.5	890	2.290	25.01	68.5	290	0.746	96.05
28.5	833	2.143	27.16	69.5	269	0.692	96.75
29.5	876	2.253	29.41	70.5	250	0.643	97.39
30.5	774	1.991	31.40	71.5	186	0.478	97.87
31.5	964	2.480	33.88	72.5	171	0.440	98.31
32.5	927	2.385	36.26	73.5	157	0.404	98.71
33.5	901	2.318	38.58	74.5	118	0.304	99.01
34.5	810	2.084	40.67	75.5	98	0.252	99.27
35.5	721	1.855	42.52	76.5	71	0.183	99.45
36.5	832	2.140	44.66	77.5	70	0.180	99.63
37.5	831	2.138	46.86	78.5	45	0.116	99.75
38.5	782	2.012	48.81	79.5	31	0.080	99.83
39.5	673	1.731	50.52	80.5	21	0.054	99.88
40.5	697	1.793	52.31	81.5	14	0.036	99.92
41.5	711	1.829	54.18	82.5	11	0.028	99.94
42.5	662	1.703	55.87	83.5	7	0.018	99.98
43.5	645	1.659	57.51	84.5	4	0.010	99.97
44.5	679	1.747	59.22	85.5	2	0.005	99.98
45.5	699	1.798	61.01	86.5	3	0.008	99.98
46.5	615	1.582	62.65	87.5	2	0.005	99.99
47.5	701	1.893	64.46	88.5	2	0.005	99.98
48.5	677	1.742	66.20	89.5	0	0.000	99.99
49.5	700	1.901	68.00	90.5	0	0.000	99.99
50.5	704	1.811	69.81	91.5	0	0.000	99.99
51.5	729	1.875	71.68	92.5	0	0.000	99.99
52.5	726	1.868	73.55	93.5	0	0.000	99.99
53.5	702	1.806	75.36	94.5	1	0.003	100.00
54.5	709	1.824	77.18	95.5	1	0.003	100.00
55.5	726	1.868	79.05	96.5	0	0.000	100.00
56.5	699	1.798	80.85	97.5	0	0.000	100.00
57.5	697	1.793	82.64	98.5	0	0.000	100.00
58.5	651	1.675	84.32	99.5	0	0.000	100.00

files or cross-sections of the adult population of the county. Each histogram also represents the probability density function. If an adult were selected at random during 1979, the probability would be .0275 that the person would be in the 18.5 age bracket.

The third columns of Figures I and III, entitled "FREQ," are the actual numbers or counts of persons of the master list contained in the corresponding age bracket. The fourth columns, entitled "PCT," contain precise values of the percentages plotted in the histogram. Each percentage has been computed by dividing the corresponding frequency by the sample size. The fifth columns, entitled "CUML," are thecumulative percentage or the cumulative area under the histogram. Figure I shows that 30.0% of the adult population are under 30, and 15.5% are over 65.

The "mean" is what ordinarily is meant by "average." Summing the ages of all persons in the sample and dividing by the sample size yields the mean age. The standard deviation is a measure of the variation of the histogram about its mean. The standard deviation indicates whether the histogram is bell-shaped or flat. When the standard deviation is small, most of the area under the histogram occurs close to the mean. The result is that the histogram is bell-shaped. When the standard deviation is large, the area is spread more uniformly. The result is that the histogram is flat. In Figure I, the standard deviation, 18.38 years, is large, and the histogram is flat as would be expected.

Figures II and IV, entitled "JURORS-79" and "JURORS-8)," respectively, contain analyses identical to those in Figures I and III, except the samples consist of jurors who served during 1979 and 1980. Comparing the two histograms for the same year, they are similar except JURORS decreases more rapidly than MASTL for jurors over 65 years of age. The mean age of the jurors is approximately two years younger than that of the adult population. This shift in mean age is explained by the fact that older persons obtain medical excuses in higher proportions than younger persons. Also, other grounds of juror incompetency, such as lack of citizenship or inability to read, speak, and understand English, occur at a higher rate with older persons.

Approximately 30% of the persons on the master list are not competent for juror service. Nevertheless, the master list represents the "community." It should be the ideal, even if in practice the ideal will not be fully achieved. Measuring JURORS against MASTL provides an independent evaluation of the entire juror-selection system.

Figures V and VII, entitled "MASTL-79" and "MASTL-80", respectively, are analyses of the master list by city or town of residence. Newton contained 6.8% of the adult population of the county during 1979. Figures VI and VIII, entitled "JURORS-79" and "JURORS-80", respectively, contain analyses of the jurors who served during 1979 and 1980 by city or town of residence. Newton provided 5.8% of the jurors in 1979. The two histograms for the same years show the quality of the geographical distribution of jurors. For the same reasons as stated above, MASTL should be the ideal. In JURORS, some larger cities and towns have lower percentages than expected. There may be several reasons: increased mobility of population; larger numbers of college students with out-of-state residencies; differing quality of population lists; etc.

Figures IX and X show the sex distributions of the master list and in the jurors serving during 1979 and 1980 respectively. The percentages of women jurors are lower than expected. Women comprise a larger percentage of the older population. Consequently, women receive a higher percentage of excuses for medical disability. This explains the slightly lower-than-expected percentages of women jurors.

In addition to comparisons by eye, quantitative measures are sought for evaluating demographic cross-sections even if these measures are rough or approximate. As discussed above, cross-sections of MASTL may be considered as "ideal" while cross sections of JURORS may be considered as "actual" or "observed." The chi-square statistic may be used as a measure of the goodness of fit between an ideal and observed histogram. Values of chi-square have been computed comparing the JURORS histograms with the corresponding MASTL histograms. These values appear beneath the JURORS histograms.

Reasonable standards are required to determine if the chi-square values are "good" or "bad." Statistical standards based on "purely" random methods do not apply. As discussed above, medical disabilities, postponements, courthouse transfers, cancellations, etc., are not random processes. The Middlesex system is flexible and accommodating rather than "perfect" in the mathematical sense. Therefore, the only way to determine reasonable standards for chi-square values is by comparisons from year to year within the same jurisdiction and by com

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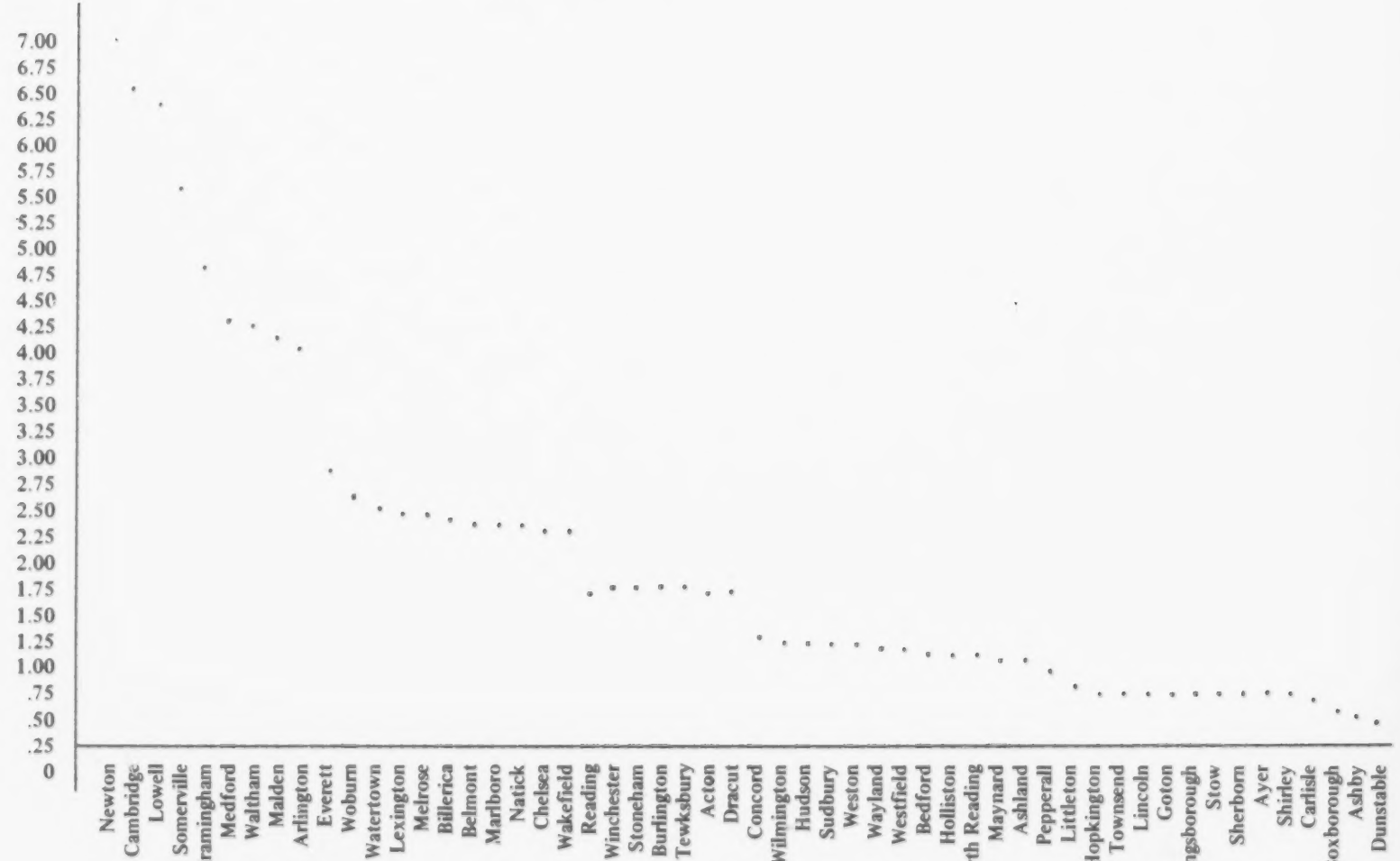
FIGURE V: MASTL-79

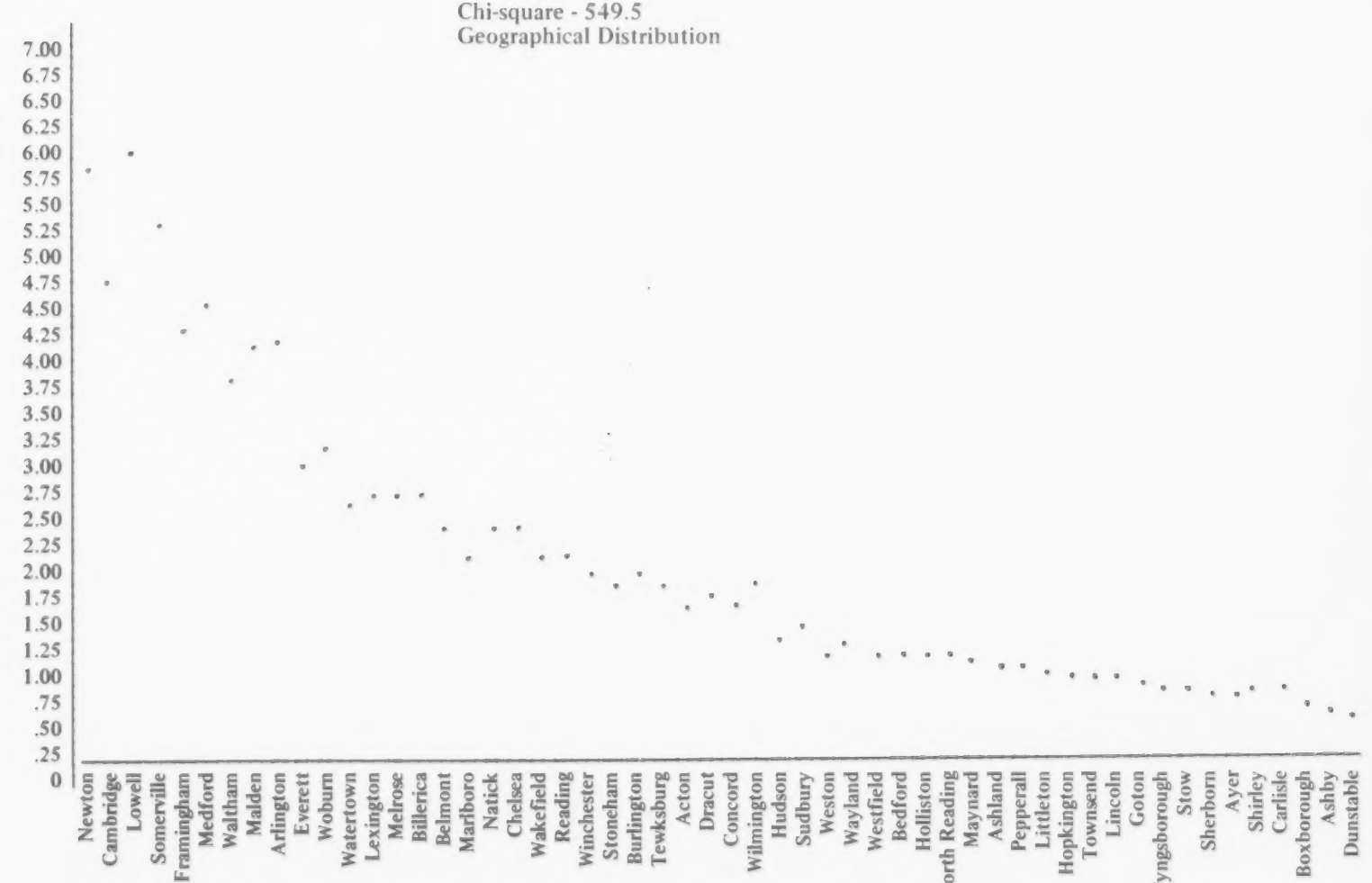
(By cities and towns)
Geographical Distribution



Age	Frequency	Percent	Cumulative
18.5	8,474	6.779	6.78
19.5	8,160	6.528	13.31
20.5	8,118	6.495	19.80
21.5	6,978	5.582	25.38
22.5	6,115	4.892	30.28
23.5	5,607	4.486	34.76
24.5	5,437	4.350	39.11
25.5	5,270	4.216	43.33
26.5	4,991	3.993	47.32
27.5	3,663	2.930	50.25
28.5	3,302	2.642	52.89
29.5	3,132	2.506	55.40
30.5	2,956	2.365	57.76
31.5	2,897	2.318	60.08
32.5	2,804	2.243	62.32
33.5	2,713	2.170	64.49
34.5	2,702	2.162	66.66
35.5	2,646	2.117	68.77
36.5	2,494	1,995	70.77
37.5	2,395	1.916	72.68
38.5	2,097	1.678	74.36
39.5	2,096	1.677	76.04
40.5	2.068	1.654	77.69
41.5	2,044	1.635	79.33
42.5	1,901	1.521	80.85
43.5	1,810	1.448	82.30
44.5	1,802	1.442	83,74
45.5	1,557	1,246	84.98
46.5	1,483	1,186	86.17
47.5	1,437	1.150	87.32
48.5	1,251	1.001	88.32
49.5	1,223	0.978	89.30
50.5	1,171	0.937	90.24
51.5	1,132	0.906	91.14
52.5	1,084	0.867	92.01
53.5	1,077	0.862	92.87
54.5	1,034	0.827	93.70
55.5	901	0.721	94.42
56.5	879	0.703	95.12
57.5	616	0.493	95.62
58.5	575	0.460	96.08
59.5	551	0.441	96.52
60.5	550	0.440	96.96
61.5	486	0.389	97.34
62.5	483	0.386	97.73
63.5	479	0.383	98.11
64.5	413	0.330	98.44
65.5	362	0.290	98.73
66.5	358	0.286	99.02
67.5	350	0.280	99.30
68.5	288	0.230	99.53
69.5	259	0.207	99.74
70.5	200	0.160	99.90
71.5	127	0.102	100.0

FIGURE VI: JURORS-79

(By cities and towns)



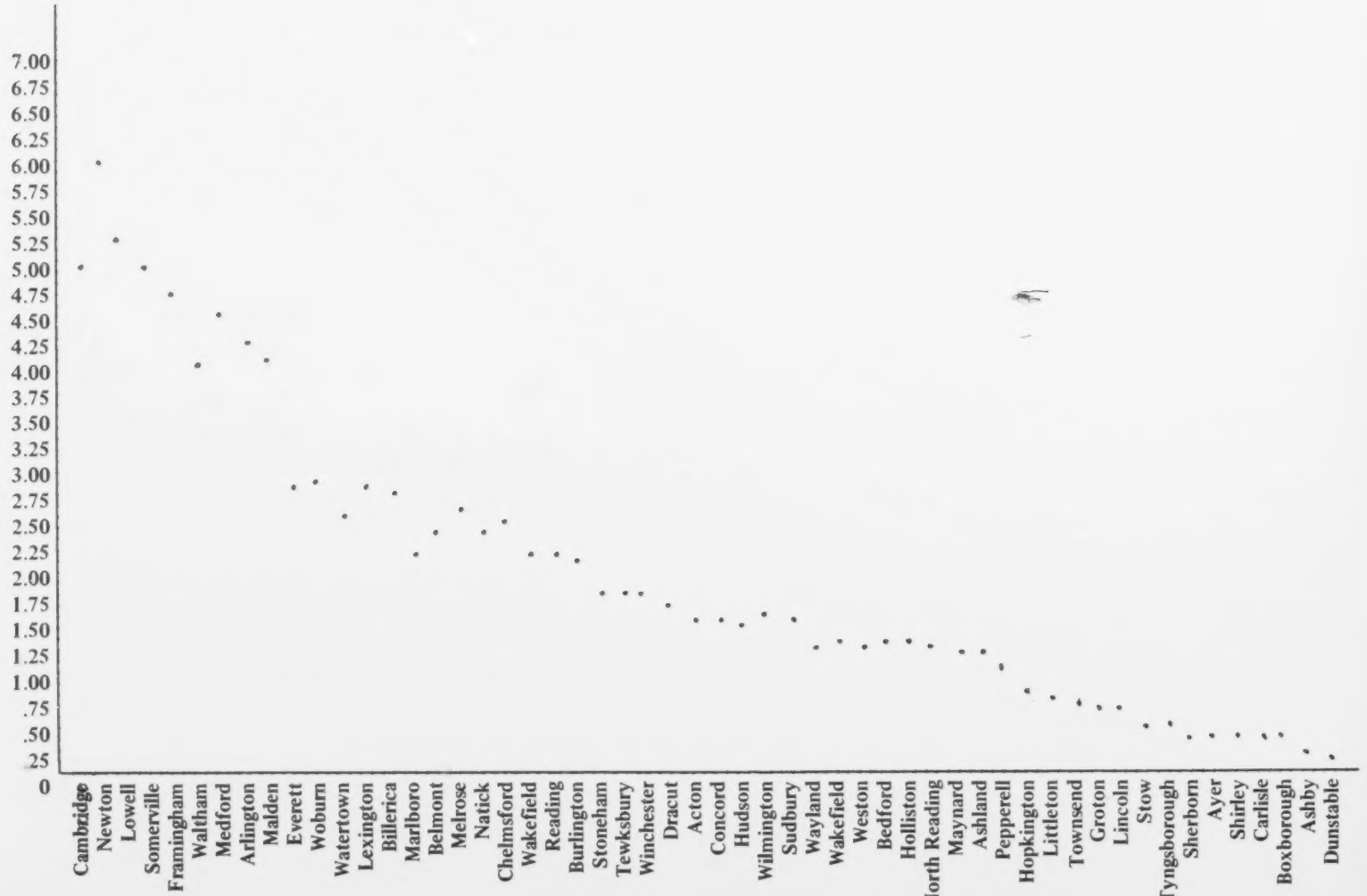
Age	Frequency	Percent	Cumulative	Age	Frequency	Percent	Cumulative
18.5	1,837	5.782	5.78	45.5	413	1.300	83.65
19.5	1,542	4.853	10.64	46.5	504	1.586	85.23
20.5	1,918	6.037	16.67	47.5	347	1.092	86.32
21.5	1,599	5.033	21.71	48.5	377	1.187	87.51
22.5	1,378	4.337	26.04	49.5	305	0.960	88.47
23.5	1,473	4.636	30.68	50.5	331	1.042	89.51
24.5	1,219	3.837	34.52	51.5	315	0.991	90.50
25.5	1,308	4.117	38.63	52.5	312	0.982	91.49
26.5	1,335	4.202	42.83	53.5	306	0.963	92.45
27.5	940	2.959	45.79	54.5	299	0.941	93.39
28.5	1,028	3.236	49.03	55.5	250	0.787	94.18
29.5	794	2.499	51.53	56.5	209	0.658	94.83
30.5	819	2.578	54.11	57.5	180	0.567	95.40
31.5	833	2.622	56.73	58.5	166	0.522	95.92
32.5	843	2.653	59.38	59.5	158	0.497	96.42
33.5	704	2.216	61.60	60.5	152	0.478	96.90
34.5	610	1,920	63.52	61.5	128	0.403	97.30
35.5	744	2.342	65.86	62.5	122	0.384	97.69
36.5	765	2.408	68.27	63.5	120	0.378	98.06
37.5	610	1,920	70.19	64.5	132	0.415	98.48
38.5	623	1,961	72.15	65.5	84	0.264	98.74
39.5	588	1.851	74.00	66.5	79	0.249	98.99
40.5	550	1.731	75.73	67.5	88	0.277	99.27
41.5	613	1.929	77.66	68.5	90	0.283	99.55
42.5	556	1.750	79.41	69.5	60	0.189	99.74
43.5	421	1.325	80.73	70.5	60	0.189	99.93
44.5	512	1.612	82.35	71.5	22	0.069	100.00

FIGURE VII: MASTL - 80
(By Cities and Towns)
Geographical Distribution

MASTL - 1980

Age	Frequency	Percent	Cumulative	Age	Frequency	Percent	Cumulative
18.5	7,020	6.953	6.95	45.5	1,274	1.262	84.99
19.5	6,865	6.800	13.75	46.5	1,182	1.171	86.16
20.5	6,353	6.293	20.05	47.5	1,165	1.154	87.31
21.5	5,830	5,775	25.82	48.5	1,035	1.025	86.34
22.5	4,944	4.897	30.72	49.5	983	0.974	89.31
23.5	4,403	4.361	35.08	50.5	920	0.911	90.22
24.5	4,214	4.174	39.25	51.5	888	0.880	91.10
25.5	4,207	4.167	43.42	52.5	879	0.871	91.97
26.5	4,135	4.096	47.51	53.5	868	0.860	92.83
27.5	2,919	2.891	50.41	54.5	835	0.827	93.66
28.5	2,632	2.607	53.01	55.5	720	0.713	94.37
29.5	2,409	2.386	55.40	56.5	658	0.652	95.02
30.5	2,408	2.385	57.78	57.5	530	0.525	95.55
31.5	2,291	2.269	60.05	58.5	479	0.474	96.02
32.5	2,210	2.189	62.24	59.5	478	0.473	96.50
33.5	2,209	2.188	64.43	60.5	472	0.468	96.97
34.5	2,187	2.166	66.60	61.5	410	0.406	97.37
35.5	2,142	2.122	68.72	62.5	389	0.385	97.76
36.5	2,139	2,119	70.84	63.5	345	0.342	98.10
37.5	1,874	1.856	72.69	64.5	318	0.315	98.41
38.5	1,700	1.684	74.38	65.5	298	0.295	98.71
39.5	1,658	1.642	76.02	66.5	287	0.284	98.99
40.5	1,650	1.634	77,65	67.5	283	0.280	99.27
41.5	1,638	1,622	79.28	68.5	238	0.236	99.51
42.5	1,587	1,572	80.85	69.5	224	0.222	99.73
43.5	1,461	1,447	82.29	70.5	163	0.161	99.89
44.5	1,445	1,431	83.73	71.5	109	0.108	100.00

FIGURE VIII: JURORS - 80
(By Cities and Towns)
Chi-square equals 569.9
Geographical Distribution



JURORS - 1980

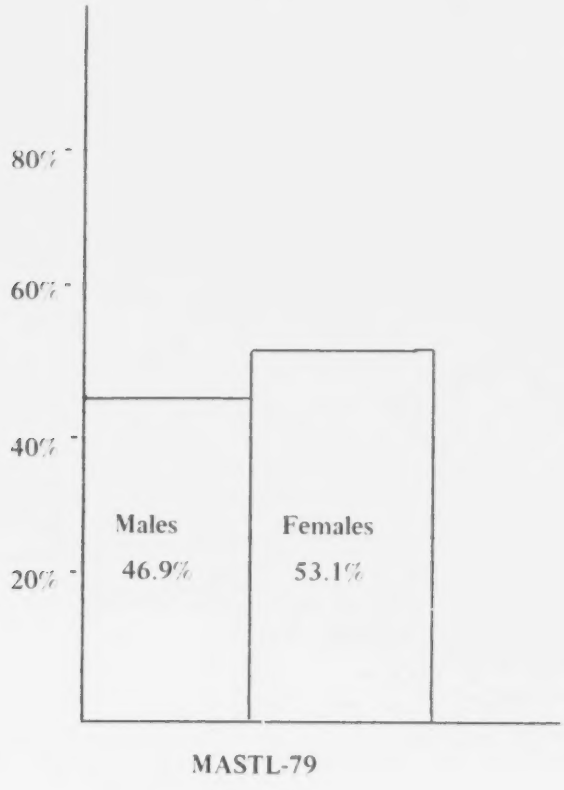
Age	Frequency	Percent	Cumulative	Age	Frequency	Percent	Cumulative
18.5	2,033	5.110	258.86	45.5	555	1.395	337.66
19.5	2,445	6.145	265.01	46.5	452	1.136	338.79
20.5	2,140	5.379	270.38	47.5	519	1.304	340.10
21.5	2,037	5.120	275.50	48.5	449	1.129	341.23
22.5	1,891	4.753	280.26	49.5	380	0.955	342.18
23.5	1,588	3.991	284.25	50.5	400	1.005	343.19
24.5	1,803	4.532	288.78	51.5	373	0.937	344.12
25.5	1,672	4.202	292.98	52.5	392	0.985	345.11
26.5	1,626	4.087	297.07	53.5	392	0.985	346.10
27.5	1,131	2.843	299.91	54.5	352	0.885	346.98
28.5	1,136	2.855	302.77	55.5	299	0.752	347.73
29.5	998	2.508	305.28	56.5	292	0.734	348.47
30.5	1,080	2.714	307.99	57.5	217	0.545	349.01
31.5	1,002	2.518	310.51	58.5	188	0.473	349.48
32.5	818	2.056	312.56	59.5	208	0.523	350.01
33.5	920	2.312	314.88	60.5	219	0.550	350.56
34.5	1,011	2.541	317.42	61.5	164	0.412	350.97
35.5	920	2.312	319.73	62.5	160	0.402	351.37
36.5	948	2.383	322.11	63.5	149	0.374	351.75
37.5	814	2.046	324.16	64.5	131	0.329	352.07
38.5	808	2.031	326.19	65.5	125	0.314	352.39
39.5	787	1.978	328.17	66.5	109	0.274	352.66
40.5	665	1.671	329.84	67.5	113	0.284	352.95
41.5	688	1.729	331.57	68.5	120	0.302	353.25
42.5	694	1.744	333.31	69.5	86	0.216	353.46
43.5	645	1.621	334.93	70.5	62	0.156	353.62
44.5	529	1.330	336.26	71.5	52	0.131	353.75

MASTL 1979 Sex Distribution

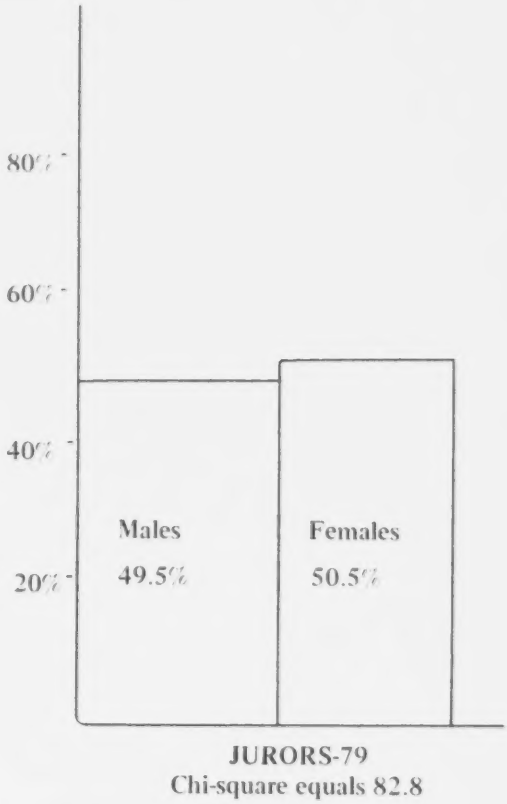
Population	Sample	Males	Females
124998	115588	54216	61372

1979 Jurors Sex Distribution

Population	Sample	Males	Females
31771	29959	14838	15121



MASTL-79



JURORS-79
Chi-square equals 82.8

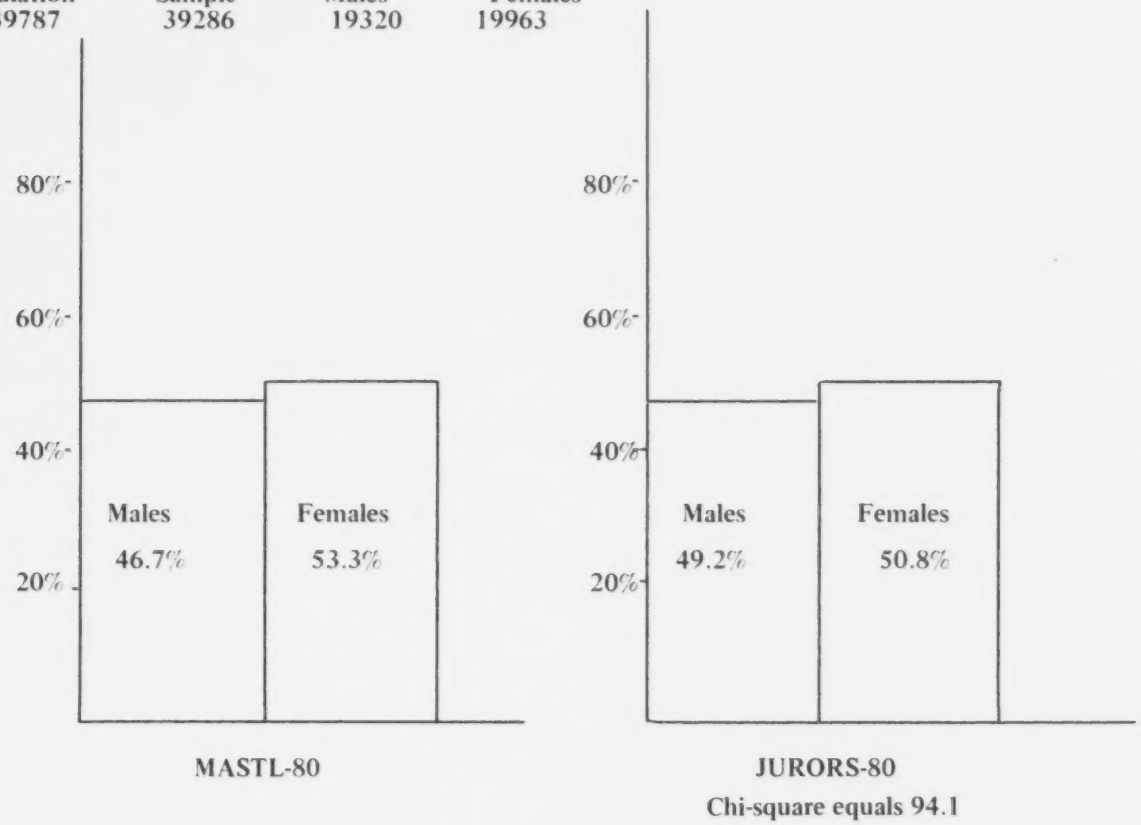
FIGURE IX: SEX DISTRIBUTIONS - 1979

MASTL 1980 Sex Distribution

Population	Sample	Males	Females
100962	98846	46200	52646

1980 Jurors Sex Distribution

Population	Sample	Males	Females
39787	39286	19320	19963



MASTL-80

JURORS-80

Chi-square equals 94.1

FIGURE X: SEX DISTRIBUTION - 1980

parisons between jurisdictions. Comparable values of chi-square are welcomed from other counties and jurisdictions.

When the observed histogram is identical to the ideal histogram, chi-square is zero. As the observed histogram differs from the ideal, chi-square increases; the greater the deviation, the greater is chi-square and the "poorer" is the fit. Generally speaking, "low" values of chi-square are preferred.

The chi-square values obtained by comparing 1979 age distributions are: 399 for adults under seventy years of age; and 1,975 for all adults. The values for 1980 age distributions are: 694 for adults under seventy; and 3,173 for all adults. Because the 1980 values of chi-square are greater, the age cross-sections are somewhat diminished in quality. 1980 was the second year of operations of the Middlesex system; however, it was the first year in which postponees from the prior year served. Also, there was a change in policy in 1980. Persons seventy years of age and older were permitted to claim a disability based upon age. For these reasons, it is believed that 1980 is the more typical or "steady-state" year and that chi-square for adults under seventy is a more appropriate measure of the character of age cross-sections. In the geographical and sex distributions, the 1980 chi-square values were similar to those of the previous year.

The most oft-quoted statistic, and certainly the one of most concern to jurors, is the probable length of the term of juror service. Figures XI and XII, entitled "Lengths of Trial Juror Service," contain the distributions for the lengths of the terms of service of trial jurors during 1979 and 1980, respectively. During 1979, 82% of trial jurors fulfilled their obligations on the first day (often the first morning) of juror service. During 1980, 83% completed juror service on the first day. During 1979, 95% completed juror service in three days or less. During 1980, 94% completed juror service within three days. Only 5% or 6% of Middlesex jurors serve longer than three days. These data are fundamental to the design and feasibility of the Middlesex system, especially the statutory methods of compensating jurors as will be seen in more detail below.

FINANCIAL ANALYSES

Table 1, entitled "JUROR COMPENSATION," contains an analysis of the compensation paid to grand and trial jurors for each jury-trial location in Middlesex County. The first year of operations of the new Middlesex system was 1979. Therefore, a comparison between 1979 and 1978 provides an estimate of the financial impact of the new system over the former system. It is seen that total juror compensation during 1979 decreased $535,706 or 64%. In 1980, total juror compensation increased $57,997 or 19% over 1979. However, the number of jurors serving during 1980 increased by 8,016 or 25%. This explains the increase in juror compensation paid in 1980 over the previous year.

It is worth noting the relatively small cost of providing jurors to District Courts under the Middlesex System. In 1980, the total cost of providing jurors to the Framingham District Court was $2,034; to the Lowell District Court, $3,984. Since jury trials in the District Courts are ordinarily completed within two days, these costs are principally comprised of reimbursements paid to jurors for travel, parking, child care, etc.

Grand juror compensation increased substantially under the new Middlesex system. A good portion of this compensation was in addition to regular wages received by grand jurors. The proposed expansion bill provides for three major changes in the method of compensating grand jurors as follows. Employees will be required to compensate their employees for the first three days of grand juror service (in the same manner as trial jurors). For the fourth day of service and each day thereafter, each grand juror will be paid by the state only so much as is necessary to place the juror into the same financial position as he or she would have been in were it not for grand juror service. The term of grand juror service will be reduced to three months with the ability to enlarge the term when necessary. As in the existing law, the court will have ample discretionary power to avoid financial hardship being imposed upon any juror. These changes would reduce grand juror compensation by eliminating "double dipping" and without causing financial hardship on any grand juror.

The court reorganization statute took effect on January 2, 1979, the same day that operations commenced under the new Middlesex system. A major effect of reorganization was increased demands for jurors by the Superior Court and the District Courts. The overall savings displayed in Table 1 would have been even greater if juror demands had not increased under reorganization.

FIGURE XI: LENGTH OF TRIAL JUROR SERVICE - 1979

YS	00---10----20----30----40----50----60----70----80	FREQ.	PCT.	CUML.
1	:	25873	81.660	81.66
2	: *	3037	9.585	91.24
3	: *	1161	3.664	94.91
4	: *	580	1.831	96.74
5	*	290	0.915	97.65
6	*	184	0.581	98.24
7	*	198	0.625	98.86
8	*	121	0.382	99.24
9	*	49	0.155	99.40
10	*	21	0.066	99.46
11	*	36	0.114	99.58
12	*	38	0.120	99.70
13	*	16	0.050	99.75
14	*	2	0.006	99.75
15	*	17	0.054	99.81
16	*	18	0.057	99.86
17	*	20	0.063	99.93
18	*	20	0.063	99.99
19	*	3	0.009	100.00
20	*	0	0.000	100.00
21	*	0	0.000	100.00
22	*	0	0.000	100.00
23	*	0	0.000	100.00
24	*	0	0.000	100.00
25	*	0	0.000	100.00
26	*	0	0.000	100.00
27	*	0	0.000	100.00
28	*	0	0.000	100.00
29	*	0	0.000	100.00
30	*	0	0.000	100.00

Sample Size is 31684
Mean is 1.44
Standard Deviation is 1.42

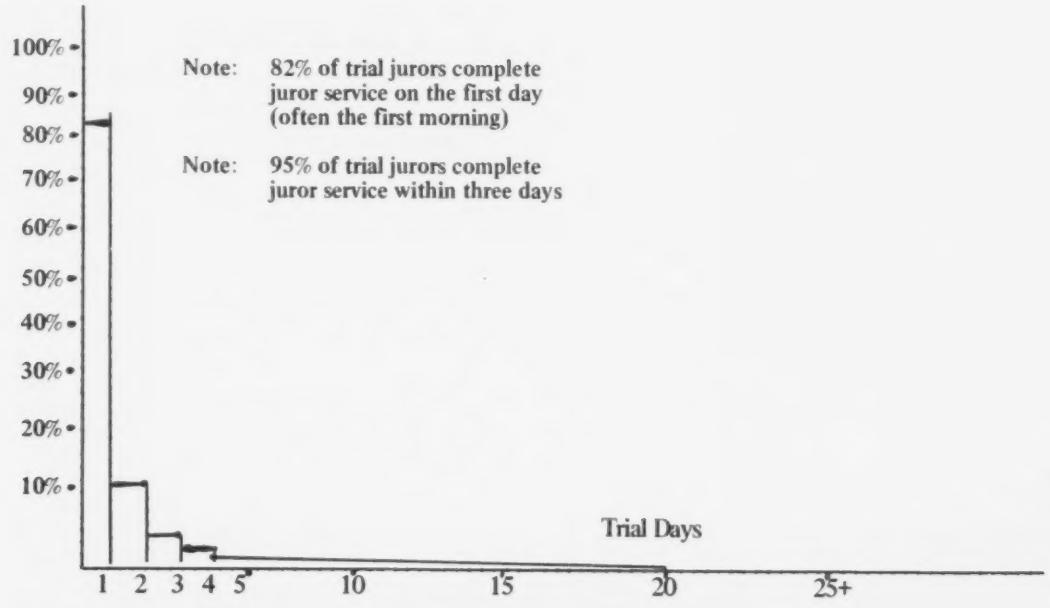
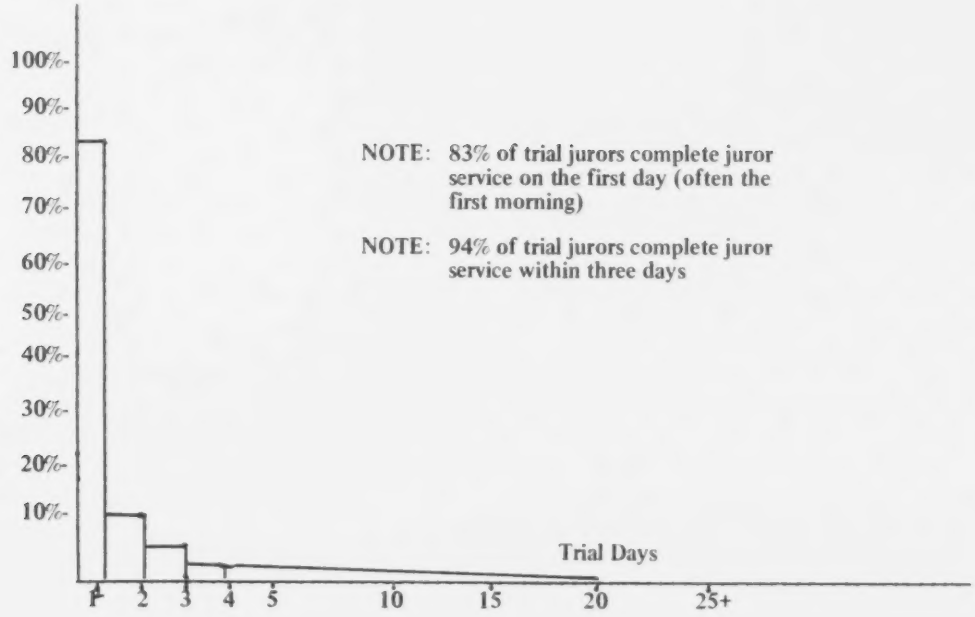


FIGURE XII: LENGTH OF TRIAL JUROR SERVICE - 1980

```
    00 - - - - 10 - - - - 20 - - - - 30 - - - - 40 - - - - 50 - - - - 60 - - - - 70 - - - - 80
1 :
2 :       *
3 :*
4 :*
5 *
6 *
7 *
8 *
9 *
10 *
11 *
12 *
13 *
14 *
15 *
16 *
17 *
18 *
19 *
20 *
21 *
22 *
23 *
24 *
25 *
26 *
27 *
28 *
29 *
30+
```

Sample Size is 39703
Mean is 1.42
Standard Deviation is 1.35

	FREQ.	PCT.	CUML.
1	32946	62.981	82.98
2	3292	8.292	91.27
3	1184	2.982	94.25
4	980	2.468	96.72
5	521	1.213	98.04
6	237	0.597	98.63
7	158	0.398	99.03
8	130	0.327	99.36
9	70	0.176	99.53
10	45	0.113	99.65
11	11	0.028	99.68
12	45	0.113	99.79
13	14	0.035	99.82
14	14	0.035	99.86
15	8	0.020	99.88
16	14	0.035	99.91
17	10	0.025	99.94
18	0	0.000	99.94
19	11	0.028	99.97
20	4	0.010	99.98
21	0	0.000	99.98
22	0	0.000	99.98
23	9	0.023	100.00
24	0	0.000	100.00
25	0	0.000	100.00
26	0	0.000	100.00
27	0	0.000	100.00
28	0	0.000	100.00
29	0	0.000	100.00
30+	0	0.000	100.00



NOTE: 83% of trial jurors complete juror service on the first day (often the first morning)

NOTE: 94% of trial jurors complete juror service within three days

TABLE I
JUROR COMPENSATION
(Dollars)

Month	Year	Cambridge (Grand)	Cambridge (Trial)	Lowl-S	Lowl-D	Fram -D	Totals
	1978	3,721	65,233	20,599	0	0	89,553
January	1979	9,360	22,927	595	0	144	33,026
	1980	7,440	6,997	571	530	153	15,691
	1978	2,048	57,878	16,687	0	0	76,613
February	1979	7,720	17,088	1,640	54	54	26,556
	1980	7,560	37,372	1,429	1,738	165	48,264
	1978	3,038	53,776	21,182	0	6,779	84,775
March	1979	6,120	26,586	3,854	180	227	36,967
	1980	6,480	29,389	197	155	191	36,412
	1978	3,282	60,536	17,994	0	0	81,812
April	1979	4,200	9,414	1,380	0	92	15,086
	1980	7,520	37,901	1,344	136	112	47,013
	1978	3,972	62,592	16,754	0	5,447	88,765
May	1979	7,440	36,370	0	197	82	44,089
	1980	7,720	8,489	4,141	147	164	20,661
	1978	3,862	52,373	13,464	0	0	69,699
June	1979	7,440	17,656	583	169	173	26,021
	1980	7,000	20,000	5,601	284	163	33,048
	1978	4,038	38,603	0	0	0	42,641
July	1979	3,800	3,114	23	98	8	7,043
	1980	9,447	8,456	112	231	159	18,405
	1978	6,309	17,820	0	0	0	24,129
August	1979	4,600	3,842	12	818	21	9,293
	1980	6,240	4,187	0	86	223	10,736
	1978	3,018	39,458	14,278	0	5,225	61,979
September	1979	5,760	11,741	520	90	44	18,155
	1980	5,720	19,768	2,170	105	198	27,961
	1978	3,168	63,513	21,880	0	0	88,561
October	1979	6,000	29,044	4,492	231	1,158	40,925
	1980	7,400	34,983	5,662	341	137	48,523
	1978	3,351	53,945	16,241	0	0	73,537
November	1979	6,000	17,680	687	29	125	24,521
	1980	5,160	22,384	4,222	196	216	33,178
	1978	3,041	44,529	12,391	0	0	59,961
December	1979	4,360	17,702	2,478	16	82	24,638
	1980	5,360	10,452	8,425	35	153	24,425
	1978	42,848	610,256	171,470	0	17,451	842,025
TOTALS	1979	72,800	213,164	16,264	1,882	2,210	306,320*
	1980	83,047	241,378	33,874	3,984	2,034	364,317*

*During 1979, the first year of the Middlesex system, juror compensation decreased 64%. During 1980, juror compensation increased 19% over 1979, but the number of jurors serving increased by 25%. During 1979 and 1980, the demands for jurors increased substantially over 1978 because of the increased number of jury trials under court reorganization.

The cities and towns benefit financially under the Middlesex system. Under the former system, the so-called key-man system, each city and town was required to qualify prospective jurors by personal interviews or by questionnaires administered by mail. Under the Middlesex system, these duties and other administrative responsibilities at the local level have been eliminated. It is estimated that each city or town realizes an annual net savings of at least $2,000 under the new system.

Table II, entitled "Costs of Administration," provides a complete accounting of all monies spent, federal and state, by the Office of Jury Commissioner since the establishment of the office in 1978 through calendar year 1980. These expenses include all initial start-up costs, capital outlays for furniture and equipment, computer programming and other developmental expenses, educational conferences, the videotaped juror orientation program, and the Juror's Handbook. Costs of design and purchase of computer forms (summonses, postponement notices, etc.) and all postage expenses are included. Personnel salaries and office administration expenses are included. Lastly, the Table contains costs of travel and compliance with federal-grant obligations; many responsibilities of federal grants are in addition to those required for the implementation and administration of the Middlesex juror system (not to overlook the additional budgetary and accounting duties). The Table does not reflect costs of the computer. Computer capacity and incidental services are provided to the Office of Jury Commissioner without charge by the Office of the Chief Administrative Justice of the Trial Court.

If expansion of the Middlesex jury system to other counties were authorized, administrative costs would not increase proportionately to the increased population served. For example, it does not require twice the programming staff to summon twice the number of jurors. On the other hand, it does require twice the postage to summon twice the number of jurors. If expansion were to occur, it is estimated that total administrative costs or total overhead would increase at a rate of 50% as fast as the increase in population served. The overhead per juror would decrease as the population served is enlarged. Thus, expansion would result in improved economy in the administration of the jury system in addition to additional savings in juror compensation.

Table III, entitled "Costs per Juror Day," illustrates the average cost of bringing in one juror for one day for trial and grand jurors. The table includes administrative costs as well as juror compensation so that the analysis includes the entire cost of administering the juror system. Juror compensation includes all payments made to jurors including statutory fees, travel, parking, child care, etc. A juror day is defined as any day on which a juror appears for service whether or not the juror was impanelled. The Table does not identify costs associated with jurors who were cancelled under the standby system. The administrative costs of standby-cancelled jurors are incorporated into the costs associated with jurors who serve.

Line 3 of Table III again illustrates the inordinately high cost of the grand juror system. Line 6 shows that the costs per juror day decreased in 1980 over 1979 even though the number of jurors increased by 25%. This illustrates an important feature of the Middlesex system, namely that the cost per capita decreases as the volume of work increases because the overhead is spread over a larger base.

The cost per juror day is the best tool for estimating the financial impact of expansion of the Middlesex system. In any county other than Middlesex, the cost per juror day may be estimated by adding daily juror compensation rate plus travel allowance plus administration cost. This is done in Table III.

The daily compensation rate is estimated at $14 (although it is higher if the juror serves on a capital case or on a sequestered jury). The travel allowance is estimated at 22 miles round-trip at 18 cents per mile. There are no reliable estimates of administrative costs of juror administration outside Middlesex County. For purposes here, it is estimated at $3 per juror day or half that of Middlesex. Thus, the overall cost per juror day is estimated as $21 outside Middlesex County. This figure is likely to increase in the future because of growing pressures by the public and in the Legislature to increase juror compensation. Nevertheless, the savings that would be realized if the Middlesex system were expanded would be $8.89 per juror day. Assuming a court requires 100 jurors per day, $889 will be saved each business day. Assuming 225 business days in the year, an estimated $200,000 savings would be realized for this court under the Middlesex system.

Table IV, entitled "Estimated Savings in Juror Compensation in County 'X' by Expansion of Middlesex System," shows an estimated 64% reduction in a fictitious county named "X" if the Middlesex jury system were expanded into this county. County "X" is assumed to have the same needs for grand and trial jurors as Middlesex County. In line 4 of the

TABLE II
COSTS OF ADMINISTRATION
OFFICE OF JURY COMMISSIONER

Category	1978*		1979*		1980*	
	State	Federal	State	Federal	State	Federal
1.Personnel	52,693	38,749	68,619	84,324	64,120	123,248
2.Consultant	8,446	805	8,474	22,680	3,360	28,280
3.Travel	29	2,739	297	1,056	15	1,076
4.Advertising, Printing, and Forms	104	-0-	10,932	-0-	38,639	-0-
5.Maintenance	69	-0-	191	-0-	488	-0-
6.Office and Administration	3,414	2,340	4,309	4,685	6,005	9,707
7.Postage	13,354	-0-	45,818	-0-	57,000	-0-
8.Equipment	2,030	4,740	-0-	27,904	675	5,005
9.Rental	2,481	-0-	3,054	-0-	5,170	-0-
10.Other	-0-	-0-	-0-	4,630	-0-	-0-
11. TOTALS	82,620	49,373	141,694	145,279	175,472	167,316
GRAND TOTALS:	131,993		286,973		342,788	

*Entries in Table are in Dollars for Calendar Years.

TABLE III

COSTS PER JUROR DAY
Middlesex County

Description	1979* Trial	1979* Grand	1979* Total	1980* Trial	1980* Grand	1980* Total
1. Juror Compensation	233,520	72,800	306,320	281,270	83,047	364,317
2. Juror Days	45,697	1,820	47,517	56,304	2,076	58,380
3. Compensation/Juror Day	5.11	40	6.45	5.00	40	6.24
4. Administrative Costs			286,973			342,788
5. Adm. Cost/Juror Day			6.04			5.87
6. Total Cost/Juror Day			12.49			12.11

*Entries in Table are in Dollars per Calendar Year unless otherwise specified.

County other than Middlesex

1. Compensation/Juror Day:	14.00
2. Estimated Travel Allowance:	4.00
3. Estimated Administrative Cost/Juror Day:	3.00
4. Total Cost/Juror Day:	$21.00
5. Savings under Middlesex System:	$ 8.89 / Juror Day

CONCLUSION

Estimated savings under Middlesex System is $8.89 per juror day (or 42%). Actual savings will be greater because all assumptions above are worst-case assumptions and further economics will be realized under the expansion bill, e.g., administrative costs will be reduced because overhead will be spread over two (or more) counties. Assuming a court requires 100 jurors per day for 225 business days, an estimated savings of $200,000 would be realized for that court under the Middlesex System.

TABLE IV

ESTIMATED SAVINGS IN JUROR COMPENSATION
IN COUNTY "X" BY EXPANSION OF MIDDLESEX SYSTEM

Existing System	Trial	Grand
Number of Jurors per Day : (Four Courthouses)	280	23
Number of Days per Year:	200	100
Total Juror Days :	56,000	2,300
Compensation per Juror Day :	$18	$18
Annual Compensation Costs :	$1,008,000	$41,400

Middlesex System Expanded	Trial	Grand
Total Jurors Days :	56,000	2,300
Compensation per Juror Day :	$5.06	$40
Annual Compensation Costs :	$283,360	$92,000
Annual Savings (or Increase) :	$724,640	$-50,600
Annual Net Savings :	$674,040 or 64% *	

*Actual Savings during First Year in Middlesex County was 64%.

Table, the current daily compensation rate for County "X" is estimated at $18, i.e., $14 statutory payment (higher if a captial case or the juror is sequestered) plus $4 for travel allowance. In line 7 of the Table, the daily compensation rate for Middlesex trial jurors is estimated at $5.06 by averaging the actual 1979 and 1980 figures. The $40 daily compensation rate for grand jurors is a worst-case estimate. Under the expansion bill, the average grand juror daily compensation rate is expected to be reduced considerably. It is interesting to note that the projected savings in juror compensation in County "X" is 64%, which is identical to the actual savings experienced in Middlesex County during its first year of operations under the new system.

Table V, entitled "Expansion Options and Costs," projects the estimated total juror compensation costs for Middlesex County for various daily compensation rates for grand and trial jurors and for various terms of grand juror service. This Table illustrates the sensitivity of compensation costs to the length of the term of grand juror service. Under the proposed expansion bill, the state would obtain the services of grand jurors at little or no cost for the first three days of service. The more frequently the term ends and a new term begins, the more often this financial benefit will inure to the state. Thus, there is a strong financial incentive to reduce grand juror service to the shortest feasible term. More importantly, the quality of the cross-sections of grand jurors will improve with a shorter term. Lastly, the shorter term is fairer and more convenient for jurors and employers.

Line 1 of Table V depicts the existing Middlesex statute, G.L.c. 234A, where grand jurors are paid $40 per day of service from the first day. Lines 2-13 depict the situation where grand jurors are paid in the same manner as trial jurors, i.e., on and after the fourth day of service. Column 1 contains the number of paid trial-juror service days during 1980 in Middlesex County. Column 5, Line 1, is the number of paid grand-juror service days during 1980. All other entries of column 5 are adjusted to reflect the numbers of grand juror service days that the state would receive at virtually no cost if the term were reduced to the length indicated in column 4 (assuming 23 members of the grand jury). Column 7 is 75% of column 6 (except for Line 1) reflecting the elimination of "double dipping." For purposes of this study, it is assumed that one grand juror in four will receive no compensation from the state because the juror will receive full wages from his or her employer. Column 9 contains the reimbursement costs experienced in 1980 in Middlesex County. Column 10 contains the estimated costs of juror compensation in Middlesex County based on the system options specified in the other columns.

Line 11 contains the system options proposed in the expansion bill. Note, compensation costs would increase $48,250 or 13% over the existing Middlesex system. However, should expansion occur administrative costs attributable to Middlesex County would decrease because of the sharing of overhead costs between Middlesex and the expansion county. If the expansion county were a medium-sized county (say, 50% of Middlesex County), the administrative savings would approximately offset the increase in juror compensation in Middlesex. The expansion county would realize an approximately 51% reduction in juror compensation rather than the 64% reduction estimated in Table IV.

JUROR UTILIZATION AND MANAGEMENT STATISTICS

If 100 summonses are mailed, how many of those summoned will serve as jurors? The answer is: approximately 64. Table VI, entitled "Approximate Weekly Summoning Yields," contains various statistics on jurors' responses to summonses in Middlesex County. These statistics were compiled manually. In order to facilitate their compilation, certain assumptions were made. Nevertheless, it is believed that the data is reasonably accurate. Line 22 of the Table shows that approximately 64% of persons summoned will serve either on the date summoned or on a future date. This percentage is called the "positive yield." Although it may surprise some that only 64% of adults summoned will serve, the positive yield for most jurisdictions throughout the country is less than 50% and in many cases less than 40%. The majority of those who do not serve in Middlesex County are excused on medical grounds, and many medical excuses are received from persons aged seventy or older. The postponement rate is 29% based on the juror confirmation forms, but many more postponements (technically called "deferments") are granted by telephone. If one inquires as to how many individuals out of 100 summoned would actually serve on the dates for which they were summoned and at the courthouses to which they were summoned, experience shows the answer to be: approximately 33 (although the answer will vary depending on the particular date and court location).

Even though persons may be "randomly selected" for summoning (as is the case in Middlesex County), the responses are not random. In order to insure the representativeness of the juror pools, the sum-

TABLE V

EXPANSION OPTIONS AND COSTS

	1	2	3	4	5	6	7	8	9	10
	Trial Juror Days	Daily Rate($)	Trial Juror Cost($)	Grand Juror Term(Mo.)	Grand Juror Days	Grand Juror Costs($)	Adjusted G.J. Costs ($)	Service Costs	Reimbursement Costs ($)	Total Costs
1.	6,379	40	255,160	NOW	2,076	83,040	No Adj.	338,200	26,110	364,310
2.	6,379	40	255,160	6	1,938	77,520	58,140	313,300	26,110	339,410
3.	6,379	40	255,160	3	1,800	72,000	54,000	309,160	26,110	335,270
4.	6,379	40	255,160	2	1,662	66,480	49,860	305,020	26,110	331,130
5.	6,379	40	255,160	1	1,248	49,920	37,440	292,600	26,110	318,710
6.	6,379	45	287,055	6	1,938	87,210	65,408	352,463	26,110	378,573
7.	6,379	45	287,055	3	1,800	81,000	60,750	347,805	26,110	373,915
8.	6,379	45	287,055	2	1,662	74,790	56,093	343,148	26,110	369,258
9.	6,379	45	287,055	1	1,248	56,160	42,120	329,175	26,110	355,285
10.	6,379	50	318,950	6	1,938	96,900	72,675	391,625	26,110	417,735
11.	6,379	50	318,950	3	1,800	90,000	67,500	386,450	26,110	412,560*
12.	6,379	50	318,950	2	1,662	83,100	62,325	381,275	26,110	407,385
13.	6,379	50	318,950	1	1,248	62,400	46,800	365,750	26,110	391,860

* Proposed in the Expansion Bill

TABLE VI

APPROXIMATE WEEKLY SUMMONING YIELDS

Line	Description	Number	Percentage
1	First Summonses Mailed:	2,000	
2	Confirmations (for Date Summoned)	628	31%
3	Postponements	512	26%
4	Incompetent	442	22%
5	Invalid Excuses (Second Summons Issued)	18	1%
6	Non-Responses (Second Summons Issued)	224	11%
7	Undelivered Mail	176	9%
8	TOTALS	2,000	100%
9	Second Summonses Mailed:	242	
10	Confirmations (for Date Summoned)	72	30%
11	Postponements	59	24%
12	Incompetent	51	21%
13	Non-Responses	60	25%
14	TOTALS:	242	
15	Jurors Summoned:	2,000	
16	Average Confirmations (Line 2 and Line 10)	700	35%
17	Average Postponements (Line 3 and Line 11)	571	29%
18	Average Incompetent (Line 4 and Line 12)	493	24%
19	Average Non-Responses (Line 13)	60	3%
20	Average Undelivered Mail (Line 7)	176	9%
21	TOTALS:	2,000	100%
22	Positive Responses (Line 16 and Line 17)	1,271	64%
23	Courthouse Location Changes : Percentage of Positive Responses	363	29%

moning process should be random and the response process should be monitored closely. Each Middlesex summons is sent by first-class mail, which has the highest probability of actually reaching the addressee. Each summons contains a warning of the possible penalties for not responding. Each summons contains a toll-free telephone number by which the juror may obtain assistance in completing the confirmation form. A self-addressed and stamped envelope is provided for the return of the confirmation form. Any juror who does not respond to a summons within three weeks is automatically issued a second summons. Every juror, whether confirmed or not, is sent a Juror's Handbook with the date, place, and time of the juror's expected appearance on the label; the handbook is received by the juror approximately ten days prior to the appearance date. Any juror who does not appear for juror service as scheduled and who has not postponed is sent a delinquency notice approximately thirty days after the appearance date. More than fifty percent of delinquent jurors reschedule juror service, provide adequate proof of incompetency, or clarify a mistake in the records which removes them from delinquency status. On several occasions, the court has taken further steps to compel jurors to serve. It is believed that a good number of jurors who do not respond to delinquency notices are deceased or have moved from the county. When jurors return confirmation forms claiming incompetency, reasonable corroboration is required by the statute and the Office of Jury Commissioner. A medical excuse requires a physician's certificate (unless the juror is seventy or older); a non-citizen is required to provide an alien registration number, etc.

The goal of juror management is that every juror who appears for service will sit on a trial. The problem is that the need for jurors cannot be predicted with accuracy. Cases which appear to require jurors even on the afternoon preceding trial frequently are disposed of without jurors because of pleas and settlements. It is academic to attempt to define the problem as one of case management or juror management. The fact is that the most frequent complaint or frustration of Middlesex jurors is that they were not able to sit on a case. The jurors' interests are peaked by the orientation program, and many are sincerely disappointed when they are not afforded the opportunity to hear a case. Ironically, the availability of jurors is believed by many to be the motivating factor for most pleas and settlements. However, the explanation "they also serve who only stand and wait" rarely satisfies a disappointed juror.

From the juror-management viewpoint, one attempts to determine statistically the future needs for jurors based upon prior experience. Each month, the Office of Jury Commissioner plots juror utilization charts for each court location in the county. Figures XIII, XIV, XV, and XVI are the charts for December, 1980, for the Cambridge, Lowell Superior, Lowell District, and Framingham District Courts respectively. There are various measures or indices of juror utilization. The Juror Utilization Factor, or "JUF," is the principal index used by the Office of Jury Commissioner. It is defined as the ratio of jurors "used" divided by jurors available. Thus, if 100 jurors appear for service and 75 are used, JUF equals 75%. There are two generally accepted definitions of the word "used" in the numerator. If "used" includes impanelled jurors only, the ideal JUF is 100%. The ideal is not realistic since extra jurors must always be sent to voir dire because of excuses for cause and peremptory challenges. The Office of Jury Commissioner uses the following definition of "used" (which is also the definition recommended by the Center for Jury Studies). Any juror sent to voir dire, whether impanelled, challenged, or extra, is counted as used. With this definition, values of JUF greater than 100% may occur. A juror who was challenged or extra in one case may be sent to voir dire in a second case resulting in a second count of the same individual in the numerator. The national standard for JUF is 100%. Even though the standard may be exceeded on occasion, the system is operating at excellent efficiency if it can expose each juror to the impanelling process in the courtroom. Middlesex County has not been successful in meeting this standard. As shown in the four charts, no court met the standard.

Tables VII and VIII contain summaries of juror utilization statistics for each jury-trial location in Middlesex County in 1979 and 1980, respectively. The statistics in these Tables are self-explanatory. Where national standards exist, they appear in the footnotes. The national standards have been postulated by the Law Enforcement Assistance Administration based on studies performed by the Center for Jury Studies. It is not necessarily true that these national standards apply to Middlesex County. However, in the absence of controverting reasons, the standards provide reasonable and useful goals for improving the management of the jury system.

CONVICTION RATE DATA

Table IX, entitled "Statistical Data on Disposed Cases for 1978-1980 by Jury Trial or Jury Waived,"

FIGURE XIII

CAMBRIDGE COURTHOUSE - DECEMBER, 1980
JUROR UTILIZATION: JUF equals 86%

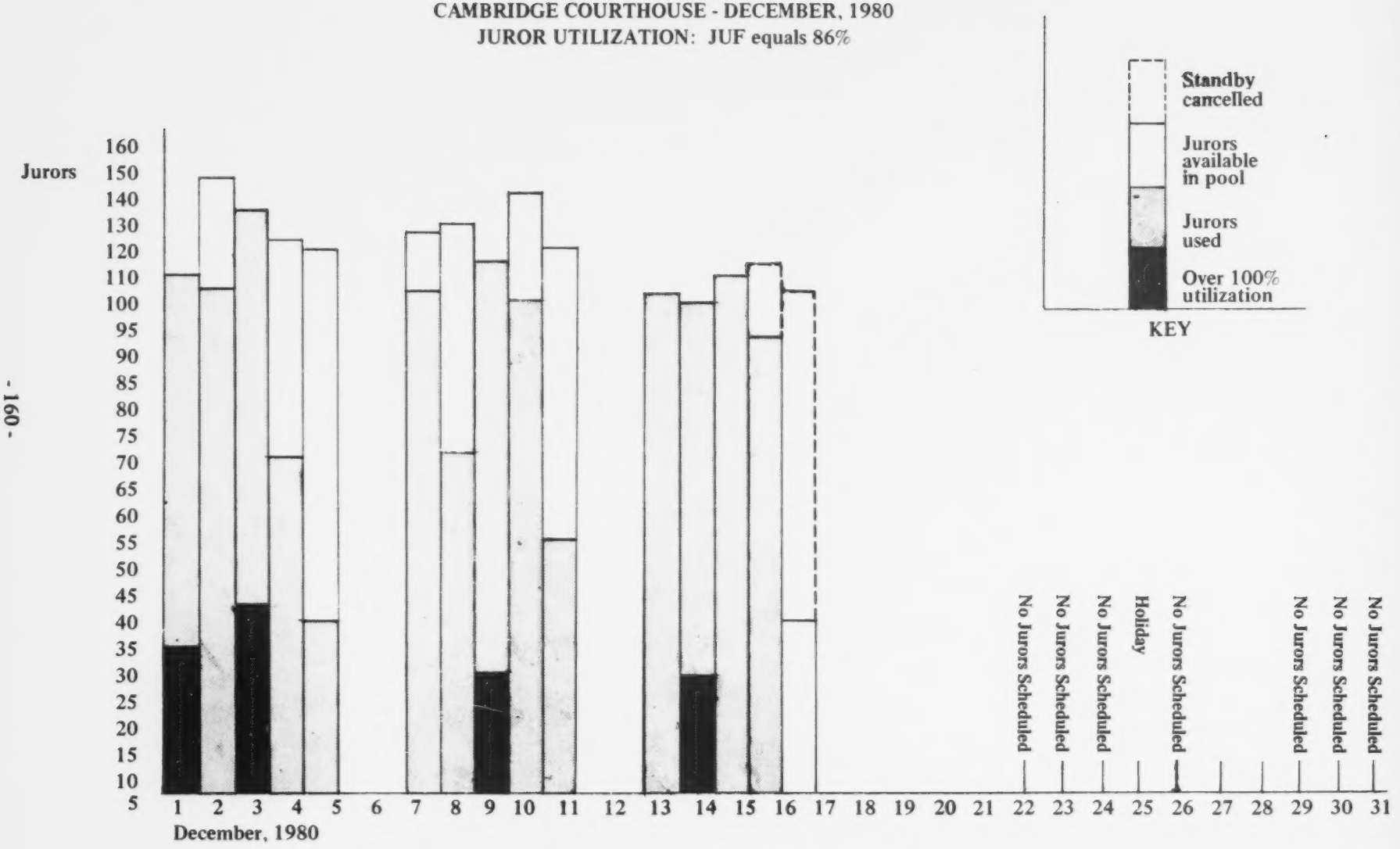


FIGURE XIV

LOWELL SUPERIOR COURT - DECEMBER, 1980

JUROR UTILIZATION: JUF equals 94%

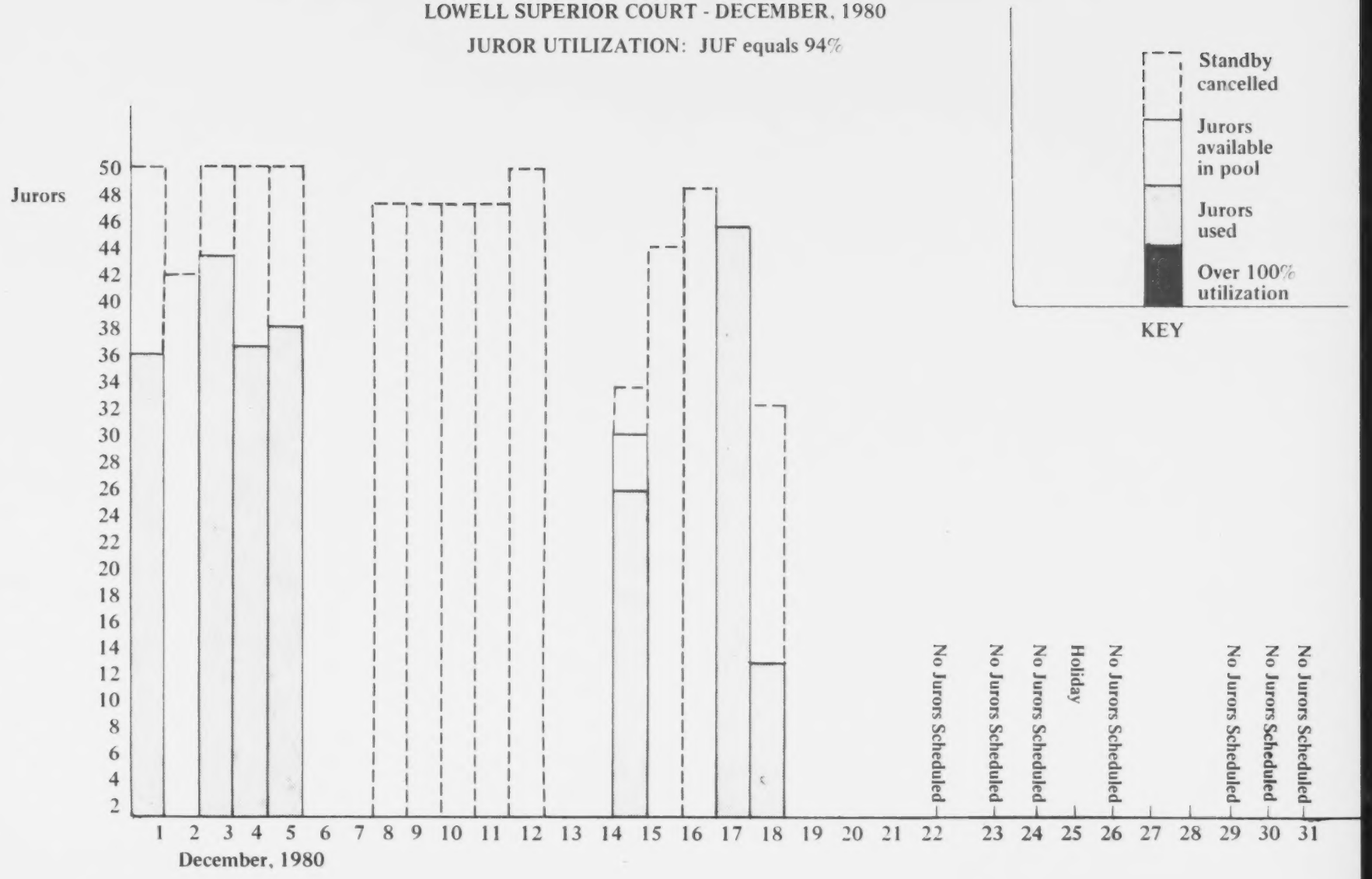


FIGURE XV

LOWELL DISTRICT COURT - DECEMBER, 1980

JUROR UTILIZATION: JUF equals 86%

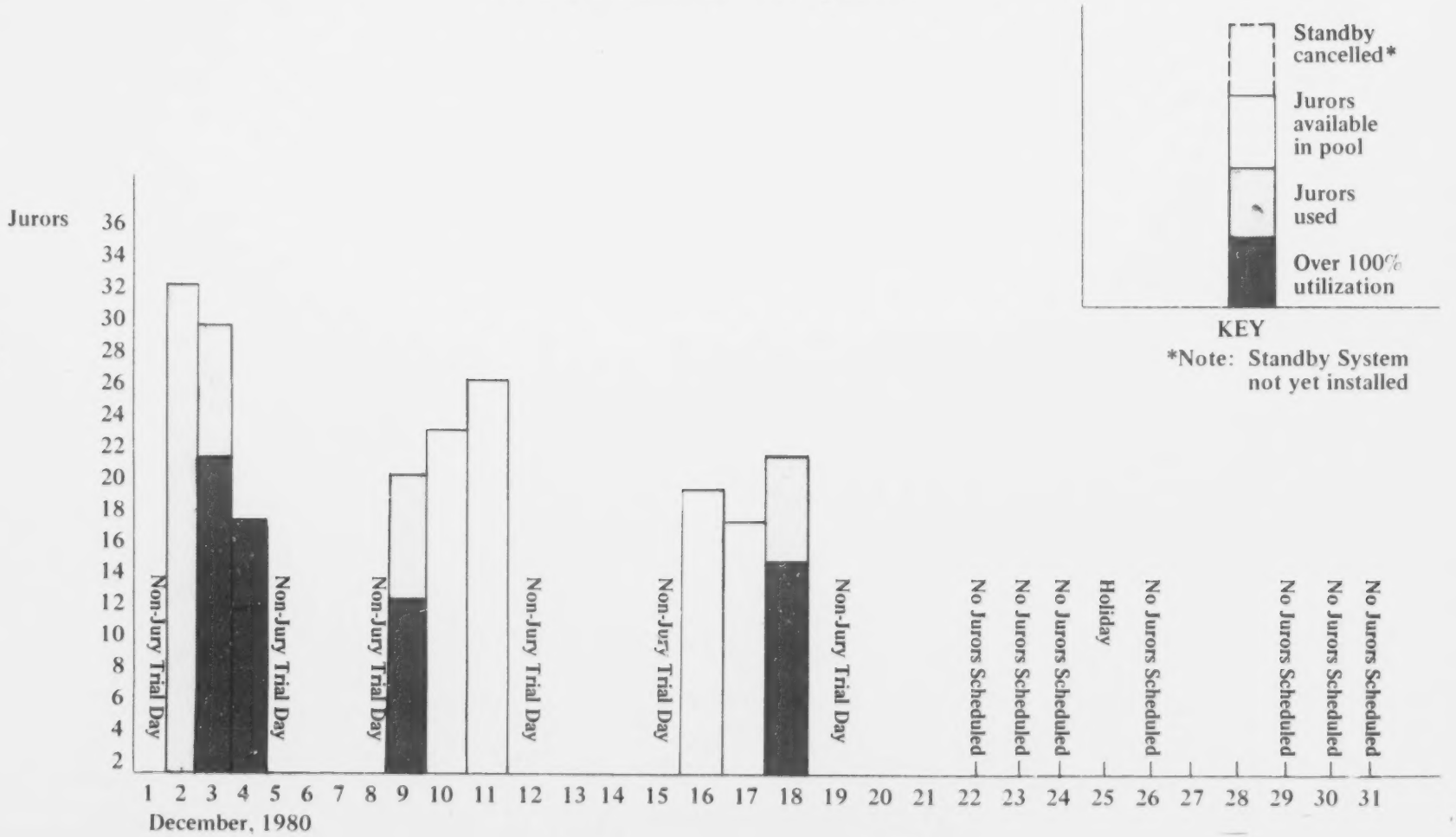


FIGURE XVI

FRAMINGHAM DISTRICT COURT - DECEMBER, 1980

JUROR UTILIZATION: JUF equals 55%

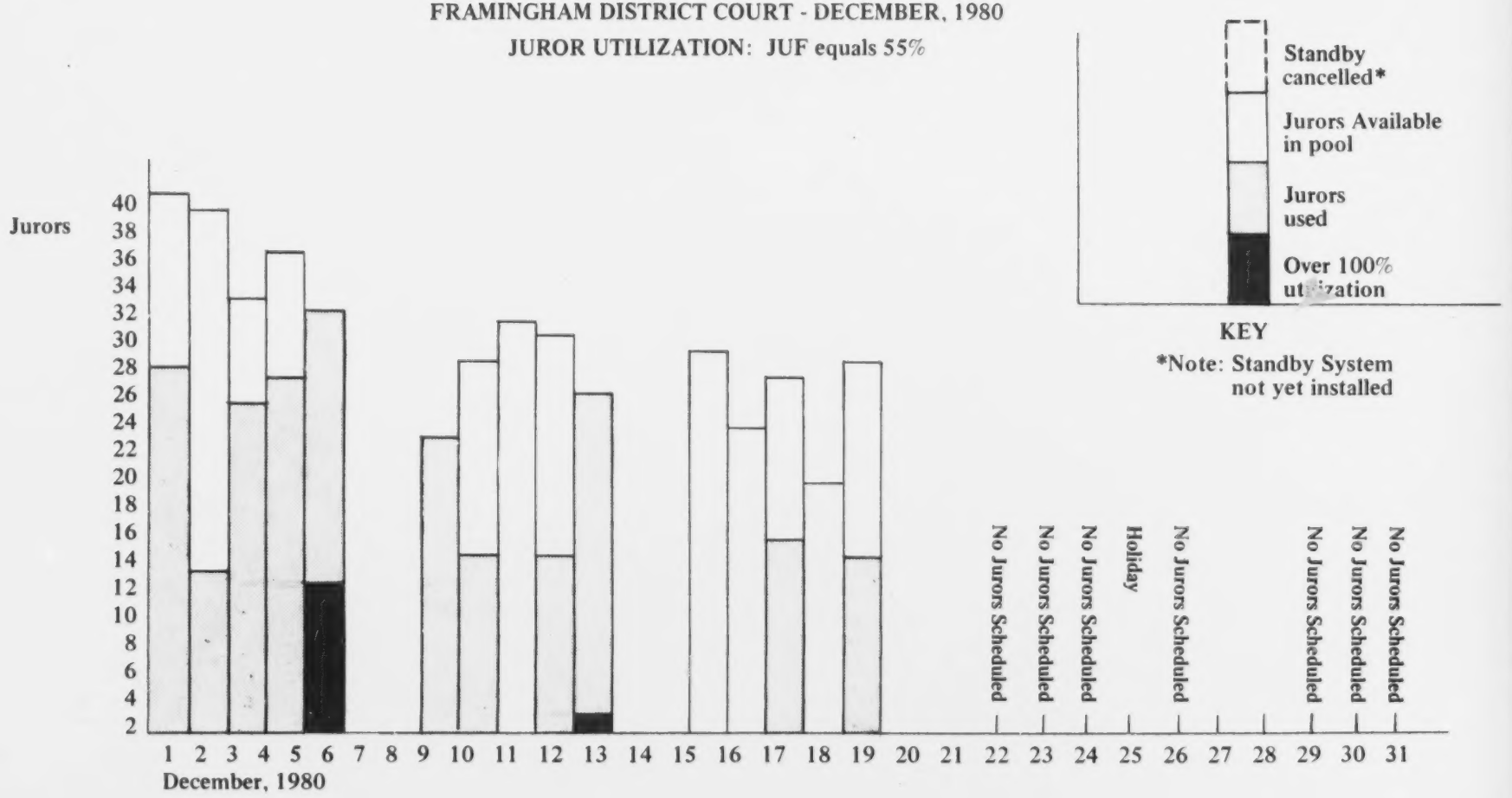


TABLE VII

1979: JUROR UTILIZATION SUMMARY

Line	Description	Camb.	Lowl - S.	Lowl-D.	Fram-D	Total
1	Jurors Appearing in Pool	19,833	4,909	2,384	4,863	31,989
2	Jurors Used	14,459	1,819	1,603	2,381	20,262
3	Overall JUF[1]	73%	37%	67%	49%	63%
4	Jurors Impanelled	5,738	764	615	1,233	8,350
5	Jurors Challenged	3,887	278	302	351	4,818
6	Extra Jurors in Voir Dire	4,834	777	686	797	7,094
7	Jury Trials: Superior Court	366	57	-0-	-0-	423
8	Jury Trials: District Court	119	-0-	96	164	379
9	Total: Jury Trials	485	57	96	164	802
10	Number of Jury - Trial Days	248	161	227	248	884
11	Jury-Trial Starts per Day[2]	1.96	.35	.42	.66	.91
12	Days with No Jury Trial Starts	37	105	151	132	425
13	Jurors Appearing/Jury Trial[3]	41	86	25	30	40
14	Standby Jurors Cancelled	N/A	280	N/A	N/A	280
15	Jurors Impanelled/Jurors Used[4]	40%	42%	38%	52%	41%

FOOTNOTES

1. National Standard for JUF equals 100%.

2. National Standard for Jury-Trial Starts per day is 3 for courts with five or more jury sessions.

3. National Standards for Jurors Appearing/Jury Trial are 30 for twelve-member juries and 18 for six-member juries.

4. National Standard for Jurors Impanelled/Jurors Used equals 50%.

TABLE VIII

1980: JUROR UTILIZATION SUMMARY

Line	Description	Camb.	Lowl -S.	Lowl-D.	Fram-D	Total
1	Jurors Appearing in Pool	24,901	5,439	3,364	6,209	39,913
2	Jurors Used	17,225	3,825	2,154	3,139	26,343
3	Overall JUF[1]	69%	70%	64%	51%	66%
4	Jurors Impanelled	6,679	1,749	921	1,535	10,884
5	Jurors Challenged	4,851	713	508	534	6,606
6	Extra Jurors in Voir Dire	5,695	1,363	725	1,070	8,853
7	Jury Trials: Superior Court	409	130	-0-	-0-	539
8	Jury Trials: District Court	170	-0-	136	222	528
9	Total: Jury Trials	579	130	136	222	1,067
10	Number of Jury - Trial Days	244	200	150	236	830
11	Jury Trial Starts per Day[2]	2.37	.65	.91	.94	1.29
12	Days with No Jury Trial Starts	68	95	49	87	299
13	Jurors Appearing/Jury Trial[3]	43	42	25	28	37
14	Standby Jurors Cancelled	2,232	3,328	N/A	N/A	5,560
15	Jurors Impanelled/Jurors Used[4]	39%	46%	43%	49%	41%

FOOTNOTES

1. National Standard for JUF equals 100%.

2. National Standard for Jury-Trial Starts per day is 3 for courts with five or more jury sessions.

3. National Standards for Jurors Appearing/Jury Trial are 30 for twelve-member juries and 18 for six-member juries.

4. National Standard for Jurors Impanelled/Jurors Used equals 50%.

TABLE IX

STATISTICAL DATA ON DISPOSED CASES FOR 1978 - 1980 BY JURY TRIAL OR JURY WAIVED

I.	1978-157 Cases			Guilty 95	61%	Not Guilty 59	39%
	Jury Trials	114				Jury Waived	43
	Guilty	70	61%			Guilty	25 58%
	Not Guilty	43	39%			Not Guilty	16 42%
	Mistrials	1				Dismissed	1
						C. w/ o F	1
II.	1979 - 189 Cases			Guilty 117	62%	Not Guilty 70	38%
	Jury Trials	130				Jury Waived	59
	Guilty	81	62%			Guilty	36 61%
	Not Guilty	47	38%			Not Guilty	23 39%
	Mistrials	2					
III.	1980 - 246 Cases			Guilty - 147	60%	Not Guilty - 97	40%
	Jury Trial	159				Jury Waived	87
	Guilty	88	55%			Guilty	59 68%
	Not Guilty	69	43%			Not Guilty	28 32%

* Statistics supplied by the Office of the District Attorney for Middlesex County.

contains conviction rates for Middlesex County for 1978 (prior to the new Middlesex jury system) and 1979 and 1980 (the first two years of implementation of the new Middlesex jury system). This data has been obtained from the Office of the Middlesex County District Attorney.

During the first year of implementation of the Middlesex jury system, the conviction rate increased from 61% to 62%. During the second year of the new system, the conviction rate decreased from 62% to 55%. There has not been an increase in mistrials; there were no mistrials on the criminal side in 1980.

Although the data is not detailed enough for thorough analysis, it appears that the new jury system has not had an effect on the conviction rate since the conviction rate increased during the first year of operation of the new system.

It should be reemphasized that the quality of a juror selection and management system must not be judged by its impact on the conviction rate, if any. To do so would create a bias in the fundamental fairness of the jury system.

The data in Table IX is inconclusive. It must be recognized that drastic changes occurred in the court system during 1979 under court reorganization which are unrelated to the new Middlesex jury system. Even if Table IX exhibited a major change in the conviction rate, the precise causes of this change would have to be determined before reliable conclusions could be drawn.